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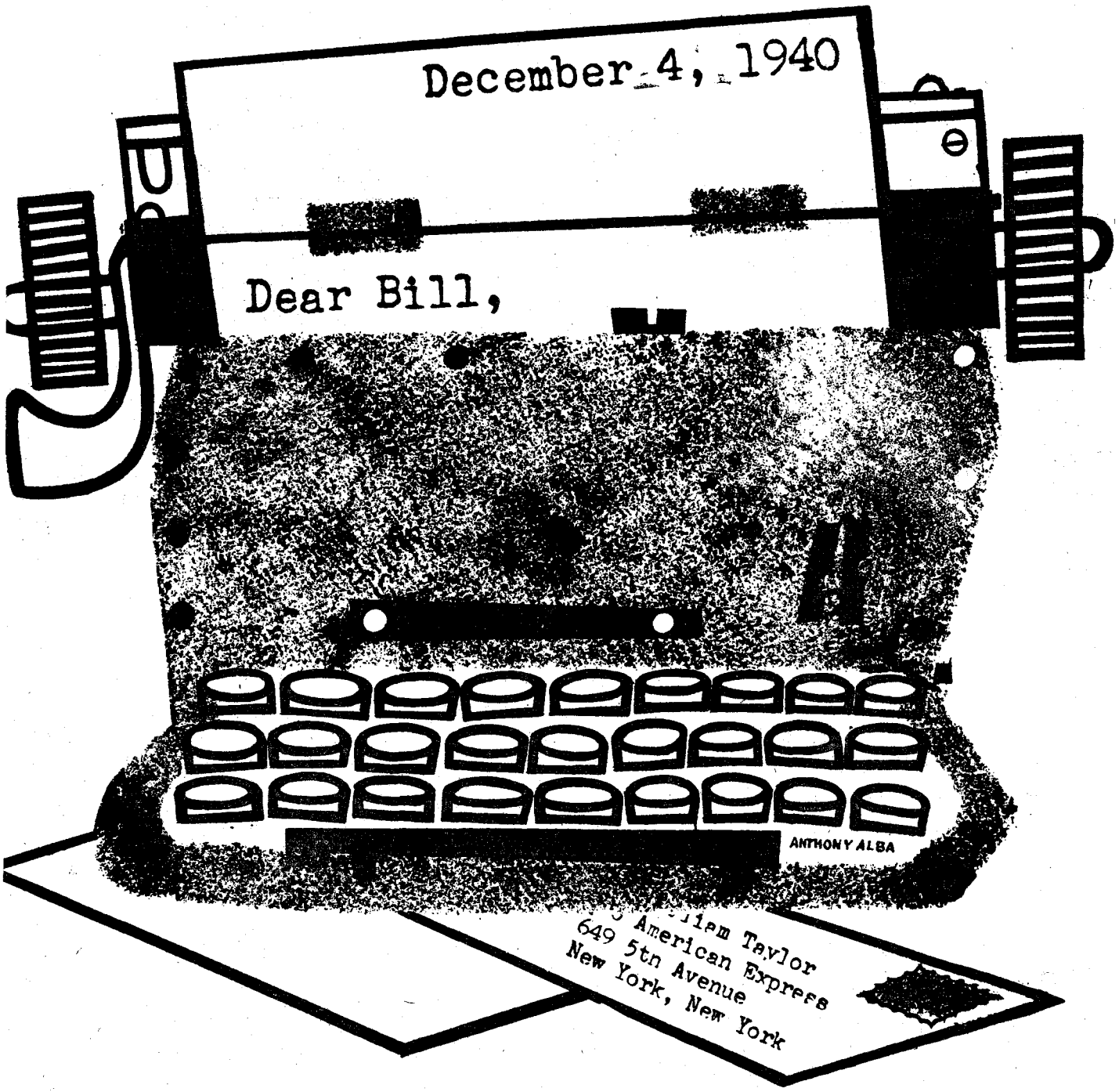

BYRON N. SCOTT:

The Letter That Nobody Wrote

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LETTERS

Genius in the Attic

Dear Sirs: David Cort's very interesting article does not distinguish between a discovery and an invention. The discoverer finds new facts existing in nature, a new chemical element or substance, a way of matter acting (radioactivity), a biological law heretofore not known, etc. The inventor combines laws of nature and makes them act for some purpose useful to man. Discovering is "pure" science, science for science's sake; inventing is applied science.

ANDREW A. BATO

South Orange, N. J.

Dear Sirs: Congratulations to you and David Cort on an excellent article, The World's Most Valuable Man, which appeared in *The Nation* of December 8.

In addition, I would like to call attention to pages 115-117 of T. K. Quinn's book, *Giant Business: Threat to Democracy* (New York, Exposition Press, 1953). Here Mr. Quinn points out that virtually all electrical home appliances were invented by persons other than the giant corporations. He says, "I know of no original-product invention, not even electric shavers or heating pads, made by any of the giant laboratories or corporations, with the possible exception of the household garbage grinder (developed not by the research laboratory, but by the engineering department of General Electric) . . . The record of the giants is one of moving in, buying out and absorbing the smaller creators."

I would call attention, also, to the book, *The Inventor and His World,* by H. Stafford Hatfield, which is quoted in Vernon Mund's *Government and Business,* Second Edition (New York, Harper & Bros., 1955), on page 159, as follows: " 'It is frequently said . . . that advance in the future will come exclusively from the magnificently equipped research laboratories of the great Trusts and Corporations. There is no evidence of this except the *ipse dixit* of the corporations, themselves.' In reviewing the 'outstanding inventions' made since 1889, Mr. Hatfield observes that very few have been produced by 'corporation research.' He states, 'Into this period falls the invention by independent individuals of such first-rate things as monotype, casehardening of steel, photogravure, moving pictures, dial telephones, calcium carbide, Diesel engines, carborundum, in wireless telegraphy and telephony, electric train control, electric car starters, submarines, safety razors, aeroplanes, flotation process, Bakelite, gyrocompasses . . . the autogyro, the triode valve, Haber's ammonia synthesis, Bergius's hydrogenation of coal, television, gaslight papers (offered by their inventor, Baekeland, to the greatest photographic corporation in the world, and refused by them only to be afterwards purchased at great expense when Baekeland had made a success of them). . . . The very latest example of the victory of individualism in invention is television, worked out by a young Scotsman with the slenderest resources, in a cellar in Soho'."

LELAND E. TRAYWICK
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Face of Fascism

Dear Sirs: People who thought that with the decline of McCarthy open fascism in America had been forced to retreat had reason for second thought when for three days, December 6, 7, and 8, a subcommittee of the House Un-American Committee held hearings in Los Angeles. With Representative Doyle of California in the chair and Representative Scherer of Ohio and "lame duck" Congressman Velde, the former chairman of the committee, assisting, the committee was investigating what it called "subversion of security legislation by the Communist Party and its front organizations trying to repeal or amend the Walter-McCarran Act, the Smith Act and the Communist Control Act." Legislative action, one of the fundamental rights of every citizen in a democracy, was thus labeled "subversion."

The main attack was on foreign-born citizens and those who defend their rights. But the ugliest aspect of these hearings was the complete disregard of every rule and code of decency in the treatment of several of the lawyers representing the persons under subpoena. Four of them, among them Al Wirin, lawyer for the American Civil Liberties Union, and Daniel Marshall, a highly respected lawyer and leading Catholic layman, were bodily thrown out of the room by sheriffs under order from the committee. So were three spectators, including Brigadier-General Holdridge, U. S. Army Retired, who stood up and accused the committee of treason and destruction of the Constitution.

Committee Counsel Ahrens badgered witnesses and lawyers alike in such a fashion that on the third day the head of the Los Angeles Bar Association, Attorney Grey, appeared to make sure that some legal defense was assured. While he was in the room the hearings took on a semblance of decency, but the moment Grey left, the committee started throwing lawyers out again, using physical force even when the lawyers offered to leave voluntarily.

MARTIN HALL

Los Angeles

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NEW YORK, SATURDAY, JANUARY 5, 1957
VOLUME 184, NUMBER 1

THE NATION

EDITORIALS

The Statue Is Not For Bombing

The Egyptian mob that dynamited an eighty-foot statue of Ferdinand de Lesseps that marked the entrance to the harbor at Port Said might have been better advised to build a new and loftier monument to this imaginative adventurer. Had it not been for de Lesseps, and the backers of his daring project, the future of the Egyptian people might be less bright than it is today. The bright promise of this future can be lost if the Egyptians and their dictator, Colonel Nasser, fail to exhibit the wisdom, self-restraint and good sense that alone can preserve the fruits of a victory which they did not win for themselves. Victories that have been won unassisted usually command a price that has a sobering effect on the victors; those that come cheaply often have the opposite effect. If Colonel Nasser pushes his luck too hard, too fast and too far, he will forfeit the gains the Egyptians have registered to date. Much depends, however, on the guidance and tact which the world community can bring to bear on Cairo through the U.N. and its agencies and officials. The Egyptians are negotiating a treacherous waterway, with dangerous shoals and currents, which leads from a freedom without power to a position of responsibility based on power and achievement. Having intervened in Egypt's behalf, the world community has a special obligation to prevent the Nasser regime from succumbing to vagrant daydreams of dominion or empire.

The Twain Have Met

That remarkable photograph of President Eisenhower hurrying down the steps of the White House to greet Prime Minister Nehru, who seemed to be leaping forward to grasp the President's outstretched hand, must have recalled to millions Kipling's familiar comments on East and West. Though the great Judgment Seat is not yet at hand, the twain *have* met and relations between them are certain to be the better for it. On Nehru's part there was a conscious recognition of the fact that "the reality of today" is forcing East and West to abandon the misconceptions and distortions based on former colonial relations. Future events will test the fruitfulness of the Gettysburg talks, but that they will bring the policies of both nations a little closer to "the reality of today" is clear. With the exception of the famous Roosevelt-Churchill meetings, it is hard to recall another occasion on which an American President gave so much undivided time to private consultations with another head-of-state.

What Nehru had to say publicly was said with a fine balance of tact and candor. His matter-of-fact comment at the United Nations that "this idea of 'cold war' is essentially, fundamentally wrong"; his insistence in the same speech that "the military practice of having places dotted all over with armed forces and bases" is not only unnecessary but "an irritant and an invitation to some other party to do the same — and, if I may use the word, with all respect, to enter into competition in evil and wickedness"; his suggestion that all foreign troops be withdrawn from "dominated" countries as part of a general disarmament plant — all this needed saying and gained weight from the circumstance that all of it was said within the context of the Gettysburg talks. Similarly his suggestion in Ottawa — another example of his tact — that sooner or later the world must recognize "the facts of life" and agree that the present regime in China effectively controls the mainland, was a timely contribution to the growing American awareness that past delusion must not be permitted to dictate present policies.

Blues From Dixieland

Those who fear that the rocks and rolls of Elvis Presley have signalled the decline of Western man may have overlooked the true sight and sound of the devil. According to a journal of white supremacy known as *The Virginian* ("Pubished In The Sovereign Commonwealth of Virginia") there is currently afoot a "New Jazz Plot to Seduce Youth and Corrupt Races." The plot involves a group of "jazz musicians" (quotation marks provided by *The Virginian*) who will tour the country as the "Birdland Stars," and includes both white and Negro performers who really need no quotation marks on their professional status—Billy Eckstein, Sarah Vaughn, Count Basie and Jeri Southern are a few. The promoters of the show have signed contracts which guarantee that the performers will not be Jim-Crowed into separ-

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ate facilities during the tour, and that local sponsors of the show must post a guarantee which can be forfeited by selling tickets for the performances on a segregated basis.

The Virginian assures its readers that only "white trash" would want to see such a show, and asks what can be done "to guide that white trash into a better path." The main fear of evil from the "plot," however, is that Youth is likely to make up most of the audience, and this, indeed, is the battleground of the future of integration. The author of the "plot" exposé in *The Virginian* complains that "This writer has pleaded, begged, demanded and urged that segregation leaders take some steps toward facing the facts of our young white people."

"Have I met with any success?" he asks. "No."

The answer is his own, born of his own experience, and we do not dispute its accuracy. We are happy to accept it as another indication of the way the battle is moving—as indicated recently by the report of courage in action in Clinton, Tenn., (*The Nation,* December 22). *The Virginian* type of thinking is finally becoming an outdated caricature. The wails of the racists are the wails of an oldtime Dixieland that is singing the Blues against the future, and its voices are old and cracked. As one of its own wailing organs has pointed out, Youth is not carrying the tune.

Fear, Ignorance and Books Abroad

Back in the days when those two young ghosts, Roy Cohn and G. David Shine, had substance enough to be tripping through Europe and burning occasional books, literate America shuddered at the fear-inspired removal of good reading from our overseas libraries. Now the two young ghosts are back in the shadows where they belong, and the atmosphere of fear that marked their antics—and those of their mentor, J. McCarthy—has pretty well subsided. The latest banning of books abroad comes not so much through fear as through ignorance.

A guarantee to publishers here that their income from books sold in foreign countries will be returned to them in dollars has been withheld by the U. S. Information Agency in the case of several books by James T. Farrell. Without the guarantee, Farrell has said, "it's not economically feasible for a publisher to send books abroad for sale." Thus, withdrawal of the guarantee constitutes a virtual ban.

The books by Farrell judged unfit are *Meet the Girls, French Girls Are Vicious* and *A Hell of a Good Time*. The USIA stated that the books were detrimental to the interests of the United States. It would seem that the publishers' titles, rather than what's in the books, has brought about the edict. *French Girls Are Vicious* is a book of short stories reviewed last year in *The New York Times* and many other periodicals and judged, in general, to be more "light" and whimsical reading than most of Farrell's former work—certainly than the Studs Lonigan books, which haven't been judged "detrimental" to the national interests.

It is possible that the results of all this will be a new wave of foreign popularity for Farrell—just as the lifting of Howard Fast from overseas libraries helped make him one of the most popular American authors abroad. If so, that's fine with us. But the tragic and inevitable accompaniment will be a new tale to tell of American narrow-mindedness, American ignorance and, in the end, American "fascism" (as in the Fast incident) from Paris to Cairo, Tel Aviv to London and most all points in between and beyond.

Everybody's Listening

A state legislative committee in California is being briefed on the latest technological advances in the field of wiretapping. One of the fancier new gadgets, in great demand among police officers, is a "car-tailing transmitter." This small device, which can be concealed under a car, will transmit conversations of the occupants to another car up to a distance of four city blocks. Another of the new "bugging" devices uses a hair wire so fine that it can be varnished into woodwork in a manner that defies detection except with the aid of a magnifying glass. With the use of an induction coil, it is now possible to tap telephone wires without making direct contact with the line.

Manufacturers testify that their best customers for the new listening devices include the military, federal agencies and local law-enforcement officials. Jail cells are frequently "bugged" and interrogations of suspects are recorded without the knowledge of the suspect almost as a matter of course. Several lawyers, who serve as members of the committee, anxiously inquired how it would be possible for them to know whether their conversations with clients in jail were being recorded and were cheerfully reassured that jailers and sheriffs would never, never think of eavesdropping on such conversations.

In California and elsewhere such disclosures have given rise to a demand that the sale and use of certain types of listening and recording devices should be licensed. But the growing habit of eavesdropping will not be curbed so easily. For one thing, information is vastly more valuable today than ever before. American industry, as *Fortune* pointed out in a study of business espionage (May, 1956), has put a "terrific premium on all types of information." One company mentioned in the *Fortune* survey spent $60,000 in counter-espionage activities, all in a vain effort to determine the source of important "leaks" of information to a rival concern. Industrial and business espionage of all types is on the increase: TV cameras have been set up on assembly lines, "open" microphones

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have been installed in executive offices, and telephoto movies of business conversations have been recorded which are later "translated" at lip-reading schools.

According to *Fortune,* industrial espionage has come to be accepted as "a regular competitive weapon" and is more widely practiced today than ever before. Counter-espionage has also become a major activity. For example, GM's new $175,000,000 Technical Center is equipped with electronic devices that will automatically draw the curtains over the studio windows at the approach of aircraft. The opprobrium that once attached to the eavesdropper who gently lifted the receiver on the wall phone to listen in on "the party line" has ceased to be; now everybody's listening.

Licensed Information

Congress talks of licensing all free-lance journalists, including salaried reporters who may accept assignments outside their regular duties, in the District of Columbia. Plumbers, electricians, chiropodists, to say nothing of lawyers, doctors and tavern keepers, are licensed throughout the United States on the reasonable ground that the layman who employs them is vitally effected by their competence and at the same time often unable himself to decide the degree of that competence.

But artists, novelists, preachers, advertising copy writers, radio commentators, book publishers, political cartoonists are not licensed. Up to now it has been tacitly agreed that a citizenry with any pretense to free choice must make up its own mind about the wares offered by such specialists. The right to license is inevitably the right to supervise, and a state which supervises the dissemination of ideas and information is no longer a free state.

In this case the supervision would be exerted over only a small section of the Washington newspaper community, but that does not affect the principle and in this case the principle is a wicked one. Congress says that its motive is merely to increase the District's municipal revenues and that the money must be raised "somehow." The legislators would do much better to place a tax on windows or tea.

WHO KILLED COLLIER'S? . . by MILTON MOSKOWITZ

COLLIER'S and *Woman's Home Companion,* two of the oldest magazines on the American publishing scene, are no more. *Collier's,* which dates from 1888, ceased publication with the January 4 issue. The *Companion,* which began in 1873, died with its January issue.

Advertisers killed both magazines. To state the obituary in these blunt terms is *not* to offer a brief for either of the magazines. It is simply a description of the competitive box in which the Crowell-Collier Publishing Company found itself as 1956 drew to a close. Advertisers were not supporting the magazines. Crowell-Collier sustained a $7,500,000 loss on the two magazines in 1956. Publishing companies resemble other commercial enterprises: they are not in business for their health.

The demise of these two magazines —following the failure in August of *American Magazine,* another profitless Crowell-Collier property—underlines again the crucial dependence of American mass media on advertising. Even the *Reader's Digest* found in 1955 that the revenue from 11,000,000 subscribers was not enough to guarantee financial independence from advertisers. In *Collier's* case, a circulation of 4,179,000 was not enough to stave off the padlock. In the *Companion's* case, a circulation of 4,288,800 was similarly inadequate. *American Magazine* folded with a paid circulation of 2,800,000.

At first glance (to a man from Mars perhaps), these circumstances may seem strange. In light of the conditions prevailing today in the world of commercial publishing, they are not strange at all. As a matter of fact, it has been no secret that Crowell-Collier has been in serious trouble for the past three years.

For contrast, note that *Time* has only one-half of the circulation *Collier's* had; *U. S. News & World Report,* one-fifth; and the *New Yorker,* one-eighth. Yet there is no question of these magazines going out of business. The answer, of course, is that there are circulations and then there are circulations. *Time, U. S. News* and the *New Yorker* have what are known as *quality* circulations. They reach people with high buying power. They reach the so-called "opinion leaders." In short, they offer an audience tailor-made to certain advertisers' requirements.

What about *Collier's* and the *Companion,* then, with their 4,000,000 circulations? Aren't manufacturers of widely used consumer products interested in this audience? Naturally, they are, but media buyers have other considerations. Advertising is like a rubber band; it will stretch just so far. Television, a great maw for advertisers, has stretched the band to its limits. Since the advent of the glamor medium, total advertising expenditures have doubled (they now approximate $10 billion annually) and the fight among media for this prize has intensified. The advertising revenues of magazines have increased. They climbed from $515,000,000 in 1950 to $723,000,000 in 1955. But the magazines' share of the advertising melon has *declined,* dropping from 9 per cent in 1950 to 8 per cent in 1955. In the field of national advertising, which is where the magazines operate, the plunge has

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been even more precipitate. In 1950, magazines attracted 16 per cent of the expenditures of national advertisers; today, their share is down to 13 per cent.

The struggle for a place in the media schedules of advertisers has been sharpest in the mass-circulation field. Magazines with specialized interests (those appealing to the business man, young people and the male reader, for example) have done well. On the other hand, the general magazines, which work on the lowest common denominator principle, have to compete directly with television. Their potential audience is anyone and everyone. The launching of the supermarket magazines and the decision of the *Reader's Digest* to accept advertising introduced new competitors for the ad dollar. Advertisers, after all, are under no compulsion to expand their budgets to accommodate more magazines. They pick and choose.

In picking and choosing, they look for certain things. First of all, they want to know if a magazine is being read. In the furious postwar race for circulation (the higher your circulation, the more you can charge for your page), publishers have resorted increasingly to cut-rate subscriptions, cheap gift offers and field selling of combination plans (if you take Magazine A, we'll throw in Magazine B for almost nothing). Advertising men are certainly aware of these high-pressure promotions and they question whether magazines sold in this manner are really read. In the ad business, newsstand sales have always been considered a better barometer of reader interest than subscriptions. And look what has happened. In 1946, newsstand circulation accounted for 47 per cent of the total circulation of the fifty-four leading magazines; by 1954, it accounted for only 35 per cent. In the general weekly and bi-weekly field, newsstand circulation has been driven down to the 20 per cent level.

In recent months, by taking advantage of those Crowell-Collier invitations in your mailboxes, you could have taken out a subscription to *Collier's* at roughly 7c per copy, compared to the 15c newsstand price. A good many people did, but the orders came too late to help the company. In the year ended last June, newsstand sales of *Collier's* fell from 767,157 to 647,303—a whopping decrease of 15 per cent. At that point—last June 30—*Collier's* was selling less than 20 per cent of its copies via newsstands. For advertisers, the warning sign was up.

Of course, other magazines (in fact, the majority of the consumer books) have similar problems. *Life,* with its hefty circulation of 5,700,000, sells less than 1,000,000 on newsstands. *Sports Illustrated,* a Time Inc. magazine, has had considerable difficulty selling advertising space because less than 15 per cent of its 600,000 circulation comes from newsstands. With the Crowell-Collier magazines, however, there were other factors at work, weakening the confidence of advertisers. In the opinion of many observers on Madison Ave. and Wall Street, the company has been mismanaged. Crowell-Collier, these observers say, spent the flourishing postwar years paying handsome dividends instead of reinvesting; the firm, they say, tried to live on its reputation; Crowell-Collier, they say, was niggardly in promotion of the magazines, in advertising research and in editorial budgets. Arthur Motley, currently publisher of *Parade* and a former vice president of Crowell-Collier, told *Advertising Age* that the company "had too many guys who wouldn't spend a dime to see the Second Coming with the original cast in color."

ALL OF these analyses may be correct. In the end, though, *Collier's* and the *Companion* failed because advertisers wouldn't or couldn't find the money to support them. *Collier's'* advertising revenue in 1955 was $1,000,000 less than it was in 1951; the *Companion* was more than $2,000,000 below its 1951 gross. In the first 11 months of 1956, *Collier's* was off 35.2 pages from its 1955 pace; the *Companion* was down 82.8 pages. A new group of investors installed Paul Smith as chief executive officer of the company in 1954. Smith, former editor of the San Francisco *Chronicle,* raised $10,000,000 in the past two and one-half years in a last-ditch effort to keep the magazines afloat. He effected improvements in the editorial appearance and content of the magazines. Still, the buyers of advertising were unimpressed. The competitive positions of the two magazines worsened. *Look,* with a circulation only slightly higher than *Collier's,* attracted twice as much advertising revenue. *Good Housekeeping,* with less circulation than the *Companion,* attracted twice as much advertising. *Collier's* ran fourth in a field of four (*Life, Saturday Evening Post* and *Look*); the *Companion* also ran fourth, behind the *Ladies' Home Journal, Good Housekeeping* and *McCall's.*

With all these explanations and post-mortems, the circumstances may still seem extraordinary. Consider, if you will, that only nine magazines in the country had a greater advertising revenue than *Collier's;* only eighteen had a greater revenue than *Woman's Home Companion.* When publications of this size can fold, then the competitive struggle must be fierce. Runner-up positions are precarious. Remember, however, that failures of this type are not unknown in the business world. Studebaker-Packard, for example, is the fourth largest automotive company in the nation; and it is deep in the red. Lever Bros. Company, the third largest soap manufacturer, is in the black today but has spent several recent years in red ink, despite its considerable volume. Colgate-Palmolive Company, the second largest soap company, has also been having difficulty making a profit at home. When you are selling a product for mass consumption, the stakes are high, but the risks are also great.

The chief result of Crowell-Collier's withdrawal from magazine publishing (the company has a very profitable book division) is a greater concentration of power at the top. *Life* in 1956 was already carrying 19.4 per cent of the advertising revenue of all general magazines. *Look,* the Cowles magazine, will reap the big benefits from the expiration of *Collier's. Look* is taking over *Collier's* subscriptions, hoping to add at least 1,000,000 subscribers. This would vault *Look* ahead of the *Saturday Evening Post* and put it right behind *Life.* Advertisers have al-

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ready been informed that *Look's* page rate will go up 15 per cent—to about $19,000 per page—with the July 9 issue.

It is always sad to see a magazine fold. Whatever opinions you may have had about the editorial contributions of these two magazines, their failure means there is one less medium of expression in the mass-circulation field. *Collier's* will be remembered by many for its fiction, for its wartime Quentin Reynolds pieces, for its recent constructive articles on segregation and the problems of American youth. Its "Preview of the War We Do Not Want" issue, in 1951, left a bitter taste in the mouths of many people, particularly overseas. Admittedly, it was an uneven magazine. (This was one of the complaints of advertising men.) Still, it was a magazine. Senior editor Theodore H. White gave what was perhaps the best epitaph. He called the closing of the two magazines "a blow to the magazine industry, the advertising industry and the American people," adding: "With media becoming bigger and fewer, this closing hurts everybody. Windows in the house America inhabits are being darkened one by one."

THE LETTER NOBODY WROTE . . *by BYRON N. SCOTT*

"IT HAS now been determined that, on all the evidence, there is not a reasonable doubt as to your loyalty to the Government of the United States."

That statement, issued by the International Organizations Employees Loyalty Board just one year ago, was designed to bring to a favorable conclusion the so-called Taylor Case, involving the fitness, on a test of loyalty, of William Henry Taylor to retain his position with an important international organization of which the United States is a member.

Vindication had been a long time coming. So long, in fact, that after nine years of fighting phantoms—against a background of intermittent grand jury, Congressional committee and Loyalty Board hearings and constant FBI surveillance—there was little inclination to jubilation left when it did arrive. There was satisfaction, of course. But darkening the flush of victory were some sober reflections that could not be dismissed by the stroke of a quasi-judicial pen. There is still the unanswered question that loomed large throughout the hearings, about which neither the loyalty board nor the Department of Justice is willing to talk: Was the "case" against Taylor based in part on manufactured evidence? The shadow of a letter that hung disturbingly over the proceedings has yet to be dispelled.

"Dear Bill. . . ." A man's reputation depended in large part on the genuineness of that letter and the identity of the author. In view of the attention that had been given to it throughout the hearings and the prominence given it in an initial adverse determination, the fact that Taylor was finally completely cleared would indicate that there was more than a "reasonable doubt" in the minds of the board members as to the genuineness of the "Dear Bill" letter. Since that is so, I still wonder why the loyalty board and the Department of Justice have been unwilling to discuss its origin or answer my questions about it. Here is an issue that must some day be resolved not only for William Henry Taylor, but for you and me as well. For Bill Taylor is an average American, and this is a partial account of what happened to him.

I WAS not retained as counsel until October of 1953, but the Taylor Case really began on May 29, 1947, the day on which two agents of the Federal Bureau of Investigation called on William Henry Taylor at his office and questioned him about his activities and associations between 1941 and 1946, while he was an employee of the Division of Monetary Research in the U. S. Treasury Department.

Between 1936 and 1940, Taylor had lived with his wife and young son in Honolulu, where he taught economics at the University of Hawaii. There he had led a quiet though pleasant enough life within academic circles, content in the knowledge that he was providing a comfortable, interesting, happy background for his family. In 1940, in the normal course of events, he came back to the United States on sabbatical leave.

While he and his wife were in New York, he registered for the draft and his papers were sent to Hawaii. When later the time came for the Taylors to pick up their boy, who was visiting his paternal grandparents in Canada, and return to Hawaii, Taylor ran into an unforeseen technical snag. As a draft registrant, circumstances made it necessary for him to get special permission from General Hershey (then heading the draft setup) in order to cross into Canada. With time running out, he decided a trip to Washington might facilitate matters.

While still in Washington, Dr. Taylor, who enjoyed a well-earned reputation as a Far Eastern Economic expert, decided to see what new publications were being put out by government agencies in his particular area of interest, and to have his university put on the mailing lists. Almost every agency he visited offered him a job. Because of Japan's activities, there was apparently a sudden and urgent need in government for economists with a Far East background. None of these offers seemed sufficiently attractive to lure Taylor from the teaching fold

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in Hawaii; he had already turned down several offers before he went to the Treasury Department. This time, when a similar offer was made of a temporary position at a good salary, he decided to talk it over with his wife. Mrs. Taylor liked the idea, especially since the job under discussion would last only a few months after which time he could still go back to Hawaii and resume teaching.

The men who talked to him about the possibility of a job in the Treasury were V. Frank Coe, then assistant director of the Division of Monetary Research, and Harry Dexter White, director of the division. Taylor had never previously met Harry Dexter White, V. Frank Coe or William Ludwig Ullmann, one of White's assistants, who was to figure largely in the Taylor Case and in the letter around which so much of the case revolved.

THE TAYLORS went back to New York on December 3, 1940, and on December 12 were visited at their hotel by two Secret Service men who took Taylor to their headquarters in the Federal Building where he was photographed, fingerprinted and questioned about his background. When he pressed them for a reason for this procedure, one of the agents said that it was routine when anyone goes to work for the Treasury Department.

Taylor's puzzlement was occasioned by the fact that he had had no further word from the Treasury since his visit to Washington and was unaware that processing had been going on. In fact, he had not yet made up his mind whether he would accept the job if it were offered to him officially, although he was definitely interested. Perhaps the best indication of his indecision is to be found in the fact that not until December 26 did he take the decisive step of cabling the University of Hawaii to find out whether he could obtain an extension of his sabbatical leave. It was then—after a couple of telephone calls and another trip to Washington to find out what was happening—that he was first informed that the job was his if he wanted it. He went to work for the Division of Monetary Research on January 3, 1941.

The war, of course, changed the aspect of his "temporary" job. In May, 1941, he resigned from the Treasury and was appointed alternate American member of the Stabilization Board of China. He went to Hong Kong and was taken prisoner by the Japanese on December 25, 1941. He was exchanged, returned to the United States on August 30, 1942, and was re-employed by the Treasury Department. He remained in the department until December, 1946, when he was offered and accepted a better position with the International Monetary Fund, where he is presently employed. It was here, in the spring of 1947, that he was first interviewed by the two FBI agents on his activities and associations as a Treasury Department official. Six months later he was called before a federal grand jury in New York and questioned again along the same lines. By now, of course, he realized that something special was afoot. Yet, during neither of these interrogations was he given any explanation of what he was supposed to have done to merit the interest of both the FBI and the grand jury.

It was not until eight months later, on July 31, 1948—more than a year since the first visit of the FBI men to his office—that he was made horrifyingly aware of what was going on. On that day he picked up a newspaper and learned—as did millions of other readers—that a woman named Elizabeth Bentley, testifying in public before the House Un-American Activities Committee, had claimed to have engaged in Soviet espionage from 1936 until the early fall of 1944. She said that during a part of that time she had acted as courier and liaison between Jacob Golos of New York, a Soviet agent, and a group of employees of the United States Government in Washington headed, according to her statement, by N. Gregory Silvermaster. One of the members of this alleged espionage group, according to Elizabeth Bentley, was a William Taylor of the Treasury Department.

Taylor, shocked, went to his director and told him that he was entirely free of any connection with any part of the Bentley story. Hearteningly, the man to whom he spoke—an experienced executive fully aware of his responsibilities—assured him that he would not be asked to resign unless and until it could be proven that the allegation being made against him was true.

Though Taylor was refused an opportunity to appear before the Committee on Un-American Activities to answer the Bentley charges, he filed an affidavit denying any knowledge of, or connection with, the Bentley story.

Once more he felt the quiver of steel above his head when, in August, 1951, after a lapse of three uneasy years, Elizabeth Bentley again testified, this time before the Senate Subcommittee on Internal Security. When asked which members of the alleged group had given her classified material, she again named a William or Bill Taylor of the Treasury Department. And again, on November 28, 1952, William Henry Taylor was called before the New York grand jury and questioned about this latest Bentley allegation. And again he denied knowledge of, or connection with, any group such as Miss Bentley had described. A significant thing about this session is that it marked the entry into the complex picture of Roy Cohn, then an Assistant United States Attorney in New York, who questioned Taylor.

THAT IS where matters stood when, in June of 1953, President Eisenhower created the International Organizations Employees Loyalty Board. The IOELB, as it soon became known, was charged with the duty of determining the loyalty of United States citizens in the employ of international organizations of which the United States is a member. Taylor, it will be recalled, had been employed by such an organization for six and a half years, since he had left the Treasury in December of 1946.

It was not long before Taylor found himself once more a target. Early in September of 1953, less than three months after the creation of the board, he received from

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it what is known as an Interrogatory. The document set forth, in the most general terms, certain "information" concerning him which the IOELB had received from the Civil Service Commission and the FBI to guide it in its consideration of his "case." The most serious allegation in it was that

> ...Information has been received to the effect that you were a member of a Soviet espionage ring that operated in Washington, D. C., in the early 1940s and that you furnished oral and written information to Nathan Gregory Silvermaster for transmission to Soviet agents.

Significantly, no single specific act of espionage was alleged. The charge was patently based on the Congressional testimony of Elizabeth Bentley and on the never-established assumption that the "William or Bill Taylor" she had mentioned was actually the Dr. William Henry Taylor to whom the Interrogatory was addressed. Taylor denied the charge under oath in his formal answer and consistently denied it throughout the lengthy hearings of the IOELB which began on November 16, 1953.

A FEW days before the board hearings began, Senator Joseph McCarthy admitted to William Henry Taylor and to me that Elizabeth Bentley, in an executive session of his subcommittee on October 21, 1953, had stated that she did not know William Taylor personally. The Senator himself gave me a copy of the page of her transcript which contained that statement. One must bear in mind that the espionage facet of the Taylor Case was based solely on the testimony given by Elizabeth Bentley in 1948 and 1951.

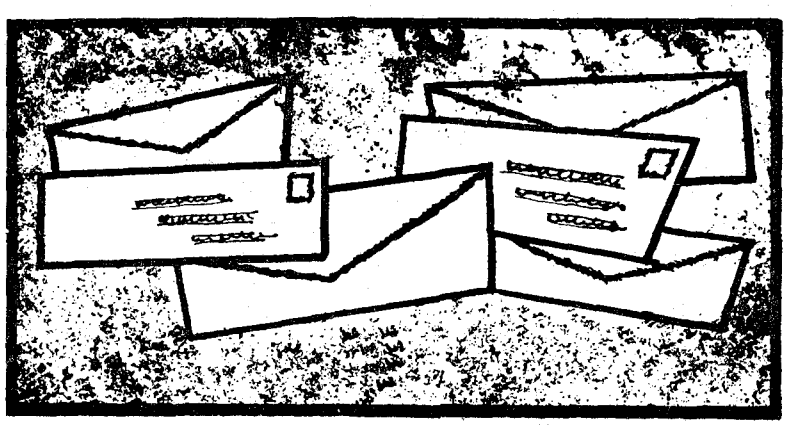
If this sounds strange to you—and it should!—reflect on this: In an interview I had with Elizabeth Bentley in the Senate caucus room (with Dr. Taylor present) a month before the IOELB hearings began, Miss Bentley admitted to me that she did not know anyone by the name of William Henry Taylor, and that the name "meant nothing" to her. At that point in our conversation I asked her whether she could identify *her* William Taylor in the room where we stood. "I'll look, Mr. Scott," she said, "but it won't do you any good. I don't know any Bill Taylor and couldn't pick him out if he were here." She made good that statement when Dr. Taylor was pointed out to her. "Who is he supposed to be?" she asked, "I've never seen him before in my life." *I* might have been content with that startling admission, but apparently Miss Bentley was not. "If I ever said that a William Taylor brought information out of the Treasury Department for me," she added, "that is not the man." Yet, when I asked her if she would so testify at the coming board hearing, she refused. Furthermore, though I repeated this conversation to the board, and though the McCarthy transcript on the same subject was placed in evidence before it, I have never been able to find out whether they ever interrogated Elizabeth Bentley about it. The point remains another in the string of mysteries and evasions used to "tie up" the case.

I RETURN now to the first session of the IOELB hearings on November 16, 1954. In the course of the session, Taylor was asked about a letter he had allegedly received from William Ludwig Ullmann of the Division of Monetary Research in December of 1940. This was not the first time that Taylor had heard about that letter. Roy Cohn, as an Assistant U. S. Attorney in New York, had questioned him nearly three years earlier before a federal grand jury in New York. At that time Cohn had made reference to an alleged letter from Ullmann to Taylor. The minutes of that grand jury are not, of course, available for scrutiny. However, according to the notes that Taylor carefully made at the time, Roy Cohn had stated that the letter in question was dated December 9, 1940. It is important, in the light of later developments, to note that date.

Roy Cohn had again questioned Taylor about a "Dear Bill" letter, this time before the McCarthy committee of 1953, a short time before the IOELB hearings began and at a time when Cohn was acting as committee counsel. Cohn then described the document as "a letter from Ullmann addressing you by your first name and signed by his first name," and labelled it "information the FBI produced."

Now, the importance of this "letter" can best be understood by looking ahead to July 15, 1955, when, after twenty months of deliberation, the IOELB notified William Henry Taylor that "it has been determined that, on all the evidence, there is a reasonable doubt as to your loyalty to the Government of the United States." The grounds for this determination were not revealed to the unhappy recipient of the notice. However, he was given a copy of a document, setting forth the board's reasons for this "advisory determination," which had been sent to the head of his own agency. It stated that as of July 15, 1955, the IOELB was

> . . . convinced that the employee has engaged in espionage and subversive activity against the United States, that he was placed in a position in the Treasury Department of the United States by Communists and espionage agents for the purpose of obtaining his assistance and cooperation in their treacherous plans and objectives, and that he was and



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possibly still is an adherent to the Communist ideology.

And, as one important ground upon which the board based its conclusion:

> The haste surrounding Dr. Taylor's appointment to the Treasury Department position and his apparently close ties to the Silvermaster group at that time are reflected in part in the letter to him under date of December 12, 1940, from Ludwig Ullman (sic), then an administrative officer in the Treasury Department. This letter is as follows: "Dear Bill: Mr. White wants me to get in touch with you and tell you to report here for work as soon as possible. This is a bit unorthodox, since your appointment has not been formally approved. But White has been virtually assured that it will be O.K. Sincerely, Lud Ullman." The return address noted on this letter was 5515 30th Street, N.W., Washington, D.C., the residence of Nathan Gregory Silvermaster.

What the board did not indicate —and a singular omission it was under the circumstances—is that 5515 30th Street, N.W., was also Ullmann's legitimate address.

Had Taylor not seen the copy of this board determination, he might have remained ignorant of the part the "letter" had played in the July adverse determination, and therefore would have been unable to combat it.

WE GO BACK once more to that first session of the board hearings on November 16, 1953, at which Taylor was asked about the letter. He told the board that he had been questioned by Roy Cohn before the grand jury session in New York in 1952 about a "Dear Bill" letter allegedly written by William Ludwig Ullmann and dated December 9, 1940. T. Paul Fairbank, Executive Secretary of the IOELB, looked up and corrected Taylor. "It is our information," he said, "that the letter was dated December 4." Fairbank repeated this statement at the November 23 hearing of the board.

Something new had been added. At this point there were now in the record not one but two alleged seemingly identical letters: one dated December 9, the other December 4. So far no one had mentioned anything about a letter of December 12, 1940. That was to come later. It should be borne in mind that whether the alleged letter was dated December 4, 9 or 12, Taylor has sworn repeatedly that he never received it, and in fact had never heard of it until Cohn mentioned it in 1952.

Intrigued by this new kind of numbers game, I advised Taylor to be extremely careful to verify the date any time the letter was mentioned. It was not long before another occasion arose, for while the protracted IOELB hearings were still going on, Taylor was called before a new federal grand jury in New York on December 3, 1953.

This time it was Thomas Donegan of the Justice Department who questioned him. Once more a "Dear Bill" letter was read to him. Donegan referred to it as a letter dated December 4, 1940, although it was apparent that he was referring to the same letter that Roy Cohn, before the 1952 grand jury, had said bore the date of December 9, 1940. It is interesting to note that it was during this proceeding that Donegan first learned—from Taylor himself —of the visit of the Secret Service men on December 12, 1940. That Donegan then went back to the file to read the report is clear, since in his subsequent questioning he actually mentioned one of the agents by name. The relevancy of this fact will become apparent later on.

Four days later Taylor appeared again before the IOELB. He told the members of the board about his questioning before the grand jury, mentioning Donegan's reference to a letter dated December 4, 1940. *This time the board made no attempt to correct him about the date.* One other significant fact came out of the session: Taylor learned that the board had sent for, and on November 24 had received, his Treasury personnel file. Thus, not only Donegan of the Justice Department but the IOELB as well were now aware of the visit by the Secret Service men to Taylor in New York on December 12, 1940, a bothersome detail and one calculated to throw their reckoning off. For the report of the Secret Service men, which had now come to light so disturbingly, clearly reflected the fact that on December 12, 1940, Taylor was not even aware that he was being seriously considered for a job by the Treasury, much less that the decision had already been practically made. His spontaneous reaction in that interview by the Secret Service was certainly not that of a man who had already been urged to pack up and come to Washington, as the December 4—or was it the December 9?—letter was supposed to have advised him.

Nine months later, with the outcome of the IOELB hearings still in doubt, Taylor was once again summoned to appear before a grand jury, this time in Washington. He was questioned by Joseph A. Lowther of the Justice Department. Lowther read aloud what he said was a letter addressed "Dear Bill" and signed "Lud." But this time, according to Lowther, it was dated *December 12, 1940.*

SO WE now have three grand jury hearings, in 1952, 1953 and 1954, in which three letters are read into the record: one by Roy Cohn, dated December 9, 1940; another by Thomas Donegan, dated December 4, 1940; a third by Joseph A. Lowther, dated December 12, 1940. All three are alleged to have been one and the same letter.

What, then, happened between Taylor's questioning by Donegan in December, 1953, and his subsequent questioning by Lowther before the Washington grand jury in September of 1954, to change the date of the letter from December 4, 1940, to December 12, 1940? And, what, by the way, ever happened to that almost forgotten missive referred to by Roy Cohn (but by no one else) as having been written on December 9, 1940? Did the unexpected revelation of the visit of the Secret Service men, with its clear indication of Taylor's surprise at learning he was to work for the Treasury Department, spoil the story that was implicit in the alleged "Dear Bill" letter of December 4, with its implication that Taylor had knowingly and deliberately been "rushed" into the job? Was the original date of December 9 first pushed

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back to December 4 to strengthen that picture of a man being rushed into a job? And did the Secret Service report suddenly make it necessary to push the date in the other direction so that it would just make it under the wire? I don't claim to know the answer—but I'm sure somebody does.

SO MUCH, then, for the date. What about the contents of the "letter"?

In July, 1955, a few days after Taylor had been notified of the adverse decision of the IOELB (which, if final, would have meant the loss of his job and reputation) I called on Mr. Fairbank, executive secretary of the loyalty board. I pointed out to him that at no time prior to this determination had the board referred to a December 12 letter; up to that time they had been emphatic that the letter was dated December 4. I made no secret of the fact that my suspicions had been aroused as to the authenticity of either version. I suppose it was only natural that Fairbank should have lost his temper at first—after all, this was a serious allegation—but he regained his composure almost immediately when I assured him that my accusation was not being levelled at him.

I asked him pointedly if there were, in fact, two versions of the letter; after some hesitation, he admitted that there were. I then asked him to let me see the December 4 version. He said he had only a handwritten copy which he later admitted he had made himself, but at no time then or subsequently would he or anyone else tell me what he had copied it from or how he had come by it. Here is what it said, in Fairbank's own handwriting:

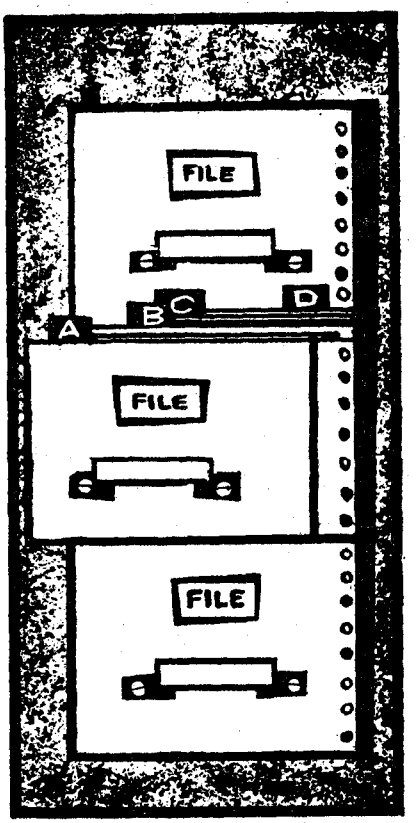
December 4, 1940

Mr. William Taylor
c/o American Express
649 — 5th Avenue
New York, New York

Dear Bill:

Mr. White wants me to get in touch with you and to tell you to report to work as soon as possible. This is a bit unorthodox since your appointment has not been formally approved, but Mr. White has been verbally advised that it will be okay.

LUDWIG ULLMANN



At the same time, he showed me for the first time what he said was a photostat of a carbon copy of a typewritten "Dear Bill" letter dated December 12, 1940. This is how it read:

December 12, 1940

Mr. William Taylor
c/o American Express Company
649—Fifth Avenue,
New York, New York.

Dear Bill:

Mr. White wants me to get in touch with you and tell you to report here for work as soon as possible.

This is a bit unorthodox, since vour appointment has not been formally approved. But White has been virtually assured that it will be O. K.

Sincerely,
LUD ULLMANN

5515 — 30th Street, N.W.,
Washington, D. C.

On his own initiative, Fairbank pointed out to me the differences between the two versions. The dates, of course, varied; the address was set up differently; the punctuation was not the same; the spelling differed (of O. K. and okay); the phraseology was not identical (cf. "White has been verbally advised" and "White has been virtually assured" and "report to work" and "report here for work"); the typed name of the writer was different in the closing, and there was no return address on the December 4 version. Fairbank said he was at a loss to account for the variations. None of the papers filed with the Treasury by Taylor gave the New York forwarding address; he had used "American Express Company, Washington, D. C."

Now, it may seem like mere legalistic quibbling to pounce upon these variations, but it must be remembered that a specific message, typed on a sheet of paper, either exists or does not exist. If it does exist, *then it can exist in one form only*. There can be no variation in the case of a single document. It can have only one date; one set of punctuations; one typed signature; one message. Either it would bear a return address or it would not. In other words, if there are two (or three?) reportedly authentic versions of the letter, it may safely be assumed there is no true version and no letter.

IN MY appeal to the board to reopen the case to take additional evidence on points revealed for the first time in its determination, I said:

> Since the opinion refers to the "haste" surrounding Dr. Taylor's appointment, and sets out in full a purported letter to "Dear Bill" from "Lud Ullmann" . . . the Board should also have revealed that it also has a "Dear Bill" signed "Ludwig Ullmann" letter dated December 4, 1940 and that Mr. Taylor testified that in 1952 Roy Cohn read to a New York Grand Jury a third "Dear Bill" letter signed "Lud" dated December 9, 1940. I might swallow one such letter but not three. If the Board continues to use the December 12 letter, it should use all three and suggest in its advisory opinion the possibility that no *real* "Dear Bill" signed "Lud" letter was ever sent or perhaps that none was ever written.

The case was reopened and hearings set up for October 19 and 20, 1955.

At a meeting with the chairman of the IOELB on October 6, 1955, I was told that the December 12, 1940, letter was "the only letter of which we take official note." I was informed that the December 12 let-

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ter had come from Taylor's personnel file in the Treasury Department. Furthermore, the chairman added, "We don't even acknowledge now that there is or ever was a December 4, 1940, letter." Houdini could not have made it disappear with less effort—or less compunction, perhaps.

That same day I wrote to the Attorney General on the valid assumption that the letter read by Cohn in 1952, Donegan in 1953 and Lowther in 1954 was in the files of the Department of Justice, and asked to see it. There ensued a lengthy correspondence with the Attorney General's office, the most important single facts to emerge being: (1) the document could not be produced since it "reposes" in the files of the Treasury Department rather than the Department of Justice; and (2) nobody has an original signed copy of the "Dear Bill" letter.

Under questioning, officials of the Treasury have admitted they do not know *when* or *how* the copy of a December 12, 1940, "Dear Bill" letter got into William Henry Taylor's personnel file in the Treasury. The earliest date on which they can be sure that the carbon copy was in his file is 1947; they are unwilling to state that it was there before that date and will make no attempt to explain where it was between December 12, 1940, and the year it came to light—1947, the year that all of the people named by Elizabeth Bentley were first interviewed by the FBI. If the December 12 carbon copy of the letter had been available since 1947, where did the December 4 version come from, where did it go and what about Cohn's December 9 version?

THE IOELB hearings were reopened on October 19, 1955, and lasted two days. At the outset, chairman Waldman made the following statement about the "Dear Bill" letter:

> With reference to the Ullmann letter, this Board has only one letter before it, so that there is no doubt, if any doubt may appear in the face of the record, as to there being a series of letters which were written by Mr. Ullmann to Mr. William Henry Taylor, care of the American Express, New York City. The letter which we now rely upon for the purpose of evidence is that dated December 12, 1940, I mean that to our best information. We say that from the research made by us up to date and the information furnished to us up to date, the letter in issue is one dated December 12, 1940, written by Ullmann to Taylor.

Mr. Gilman, a member of the board, interrupted at this point. "Are you saying, Mr. Chairman, that there are no other letters on that particular subject?" he asked.

This was Waldman's reply:

> I am saying, sir, that there seems to be a doubt as to which letter or the letter written by Ullmann to Taylor. To avoid all confusion or to avoid that the employee remain in a realm of mystery or doubt as to what he has to face or what he may have to explain, we are limiting it solely to a carbon copy of a letter, a photostatic copy of which we have given to Mr. Scott, which is dated December 12, 1940.

In this manner the chairman disposed of the December 4 letter, not to mention that nagging little misfit, the letter of December 9, to his own satisfaction. But I was not and am not satisfied.

William Ludwig Ullmann, the other end of the alleged Taylor-Ullmann axis, testified on the afternoon of October 20, 1955. I showed him the photostatic copy of the carbon copy (and I don't blame you if you think you are seeing double!) of the alleged letter of December 12, 1940. It was his opinion that he had neither typed the letter nor seen the original nor a carbon copy of it. Taking it point by point, he testified that he never puts a comma in an address; he never indents paragraphs; he would not have typed "Lud Ullmann" at the bottom of a letter, but would have used his correct name, "William L. Ullmann." If in a great hurry, he stated, he sometimes typed "W. L. Ullmann" at the end of a letter, but he never used the name "Lud Ullmann" on any letters. He felt certain he would never have referred to Mr. White in a letter as just "White." He did not use the initials "O. K." in correspondence. Had he used a return address in a letter, he would have put it at the top, rather than at the bottom. He was firm in his opinion that he could not have typed it himself. Nor did he recall ever having dictated such a letter. Had he done so, he stated, he thought it extremely unlikely that he would have had the office secretary put his home address on it. Nor would he have signed a letter that had "Lud Ullmann" typed at the bottom of it, since he never used that form of his name on a letter.

Furthermore, he was sure that he would not have typed a letter at home, made a carbon copy and carried the copy to the office. (The IOELB said that the carbon copy was found in Taylor's Treasury personnel file. There are no stenographic initials on the carbon copy.) Ullmann further stated he felt fairly certain that he did not meet William Henry Taylor until the latter came to work at the Treasury in January, 1941, and that he thought the language of the letter was a "little more easy going" than he would have used in such a situation. One more thing: he did not ordinarily make carbon copies of letters that he typed himself.

Of course, Roy Cohn had been less than frank with Taylor in the 1952 grand jury and before the old McCarthy committee when he said that the letter he was reading was "signed by Mr. Ullmann by his first name." Under questioning much later, Cohn admitted it was not a signed copy, that he could not remember what name was typed at the end of the letter, whether there was a return address on it, *or the date.*

WHEN this session of the IOELB adjourned, the board members got up and left the room. Taylor, my secretary and I remained behind to pick up the material. On the table in front of the chair that had been occupied by board member Gilman we noticed an ash tray containing a few crumpled-up pieces of note paper. I examined them in the presence of the others. On one scrap of the note paper some member of the board had written: "Donegan had same F.B.I. report we have—Dec. 4."

This meant that at least until December of 1953, the FBI had been

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saying that it had a December 4, 1940, version of the "Dear Bill" letter. It meant that Fairbank had copied his version of the December 4 letter from the FBI report. It meant that between December of 1953 and September of 1954 the FBI report had been changed to refer to a December 12 letter in place of a December 4 letter. It meant that the Attorney General was not frank with me when he said that he had no copy of either letter in his files. It meant, in short, that there are at least two versions of the "Dear Bill" letter.

If that is so, the following questions inevitably arise: Where did the December 4 version come from? What has happened to it? Why was the FBI report changed? Would the Attorney General try to make us believe that the FBI in investigating Taylor did not look into his Treasury file until after December of 1953? Or that the agent in copying the letter allegedly in that file since 1947 would make all those mistakes? Why does the Attorney General refuse to answer any questions about the letters? In short, who prepared the copies of the letters?

I began this story by saying that on the identity of the author and the genuineness of that letter—or those letters, to be exact, although it entails a contradiction in terms—depend a man's reputation. That man, very rightly, has now been cleared.

But what of the suspicious aspects of the case that now stand revealed? Have they been cleared? I think not. By their very refusal to discuss this all important question of the "letter," by their very unwillingness to probe into its origin and find out what lay back of this seeming act of naked vindictiveness, these agencies of our people, set up to protect us, have tacitly admitted that guilt exists somewhere in their ranks. Those ranks have now been securely closed—against us.

Robert Burns once wrote:

Here's freedom to him that would read
Here's freedom to him that would write
There's none ever feared the truth should be heard
But they whom the truth would indite.

Montgomery Morning.. *by WILMA DYKEMAN and JAMES STOKELY*

Montgomery, Alabama

IN THE STILL hours just before daylight on the morning of December 21, fog hung heavy over the dome of Alabama's gleaming white state capitol building. The shrouded streets which stretched away from it through the city of Montgomery were silent. It was easy, in those small hours, to unloose the imagination and wonder if some of the ghosts of 1861 might not be lurking in the "Cradle of the Confederacy" on this morning which was to make Southern history. For if it is true that the hand that rocks the cradle is the hand that rules the world, with a slightly different meaning of words this cradle was presently to be rocked to its foundations.

As daylight came, warm and springlike, Court Square—at the opposite end of the wide main street leading up to the capitol—began to waken. Around the dry fountain, with its tiers of figurines, plump pigeons strutted on the wet pavement. Traffic began to pick up. The giant wreaths of Christmas lights strung across the street became more visible. And the city buses began to roll in and out of the square, loading and unloading passengers. In the doorways of the dress shops, the men's ready-to-wear and hardware stores, the newsstands and the offices and drugstores, people stood watching the buses. This was the morning when a year-old boycott and a generations-old tradition were to end.

NEGROES and whites sat or stood at the central segregated bus stop—watching; people drove by slowly, peering from their cars to see what was happening on the buses; and men leaning against the parking meters and standing on the street corners in their shirt sleeves, watched. This was the morning that segregation on the city buses of Montgomery gasped its last and integration breathed its first, and there was tension implied in both the birth and the death.

The morning went quietly. A couple of cars filled with watchful white men in leather jackets parked on two sides of Court Square for the first hour, then slowly moved away. Groups of well-dressed Negro leaders stood at the central bus stop and rode several of the runs. The Rev. Martin Luther King, Jr., who has become the public symbol of the Negro cause, entered a bus and took a seat near the front. The day's pattern developed—most of the buses were only partially filled, but the Negroes rode, for the most part, in the middle seats, a few at the very front, a few at the rear; and the whites rode almost together far to the front. A few whites who were eager for the day to have full meaning rode on the back seat; at least one or two sat by Negroes. By late afternoon the word had gone out over town that "Everything's O.K.; nothing happening."

It was the very calmness of the day that was the great news here. People who said nothing had happened meant nothing violent, to make headlines. Actually a great deal had happened which might make news for years to come. Before a new year can begin, an old year must end. Before a new era of human dignity can be born, old indignities must die. On December 21, an era as well as a year came to an end in

WILMA DYKEMAN, (the pen name of Mrs. James Stokely), is the author of The French Broad, *one of the Rivers of America Series; James Stokely, poet and farmer, is Tennesseee born and bred.*

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Montgomery. It was important that Alabamans and Americans alike should realize that what was disappearing was as meaningful as what was developing.

For one thing, the familiar cardboard signs spelling out segregation were gone from the buses. Gone too was the custom that had compelled Negroes to pay their fares at the front door and then often get off the bus and climb back on at the rear door. And the abusive language of some of the drivers calling their passengers "black apes" and "damned niggers" was stilled. Most apparent of all, perhaps, the stream of walking women had almost disappeared.

"The real power of the boycott was the Negro women," a housewife in one of the white residential areas told us. "Every morning they came by our door here. It was like watching a brook to look out and see them going by steadily for an hour or so every morning and an hour or so every afternoon. And this morning they weren't there. The brook had dried up."

Other things, less tangible but not a whit less real, have gone from Montgomery too. Their essence might be summed up in the words of one Negro: "Now there isn't any more hang-dog looking at a white man. We face him. We got a proud look."

Herblock in Washington Post

Bus Stop

ON A street in one of the newer residential areas, as we walked along in the pleasant morning between the rows of green lawns and lush pyracantha bushes heavy with clusters of flaming berries, we saw a carload of young schoolboys slow down just past us and shout something before they roared away. We turned and asked a Negro woman walking behind us what they had hollered. Small and lively as a sparrow in her brown coat and brown head-scarf and brown skin, she smiled at us. "They was just meddlin' me. They have to act theyself up. I don't pay them no mind, when they get through actin' theyself up, everything be all right." She had no resentment—against the cruel boys in the present or the bus drivers in the past. "They wasn't all bad. Jus' a few real low mean. My bus driver I hadn' seen in a year welcome me back this mornin'. Like my family I work for: they told me to stay off the buses, they didn' blame us for what we's doin'."

We talked with a Negro man who summed up the remarkable self-control his people had shown in this great victory of their boycott. "We don't use the word 'victory,'" he assured us firmly. "We don't want to even have the attitude of the word. Like Reverend King told us at one of our meetings, the attitude of 'victory' wouldn't be worthy of us, and it would be a barrier to the growth we hope for in others."

The conduct and accomplishments of the Negroes during the past year have obviously shaken some of the firmest convictions held by the whites. In the beginning of the boycott it was often said that Negroes "can't organize anything but a crap game," and if they did, they "can't hold out." But they did organize, 50,000 strong, and they didn't develop into an army and they didn't degenerate into a mob. They remained individuals united by a vision. In a region where patience on the long haul is considered a somewhat less colorful personal asset than pride in the instant's dramatic gesture, one of the most astonishing features of this boycott, to white residents, was the daily plodding persistence with which the Negroes moved toward their goal.

Then, of course, the white people began to admit the Negroes were organized, but "outsiders" had done it: Communists, "NAAPCs," "some of Brownell's gang," "troublemakers" in general. And, of course, the Negroes would submit to the old pressures anyway: a few arrests,

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some bullying, a few bed-sheets.

"For a while there, the police would stop your car, maybe two or three times a day," one Negro leader said. "'Get out, nigger.' You'd show your driving license and they'd ask you all the questions already filled out on it. Or they'd book you for going twenty-five miles an hour in a twenty-mile speed zone."

But the spirit didn't break and the Negroes were never provoked into retaliation.

"Then white boys would throw water on us, or a Coca-Cola bottle from a car. Or once in awhile they'd spit on us. Even in the last few weeks over twenty cars have had acid thrown on them."

Mass arrest of the famous ninety was the whites' real panzer effort at group intimidation that failed and backfired. "For the first time," a professor at a local Negro college told us, "it became honorable to go to jail. Everybody whose name wasn't on that list felt sort of slighted, like he hadn't done his share." Those who had always been so scared of the police and jail now were clamoring to take the part of the punished.

THE final test came when the Ku Klux Klan announced, on the night the Supreme Court handed down its last decision, that it would stage a demonstration in the Negro part of town. Before such a threat the Negro would once have cowered behind closed doors and darkened windows. But this time the Negro community greeted them almost as it would any other parade. As the estimated forty carloads of Ku Kluxers drove by, lights stayed on, doors were ajar, men, women and children watched openly, in silence. It took enormous courage to face this robed and ancient enemy with such nonchalance. In the end it was the Klan that weakened first. Their parade turned into a side street and disappeared. The Kluxers themselves had set the final seal of solidarity and emancipation on the Negro citizens.

Physical intimidation failed—and so did economic threats. For if one fact has emerged clearly to both white and Negro community in this crisis it is the intertwining of their economy. As one person put it: "Our schools may not be integrated, but our dollars sure are." Early in the boycott when the Mayor asked the women of Montgomery not to go after their maids and, if the maid wouldn't walk to work, to fire her, one housewife said, "The Mayor can do his own cooking if he wants to. I'm going after my cook." The Negro women knew their employers well enough, too, to be aware of their general distaste for mops and ironing boards. They knew instinctively that these people might tolerate injustice but never inconvenience.

"They talked about firing all the Negroes in the boycott from their jobs," a Negro man told us. "But then I guess they got to thinking about all those white folk's houses we rent. No payroll, no rent. What would those poor white widows living on their husbands' estates do? And what about all those refrigerators and cars and furniture we owed payments on? The storekeepers didn't want that stuff back. They wanted the money. No, after a little thinking there was very few of us fired from work."

Perhaps the most insidious enemy the Negro of Montgomery faced was his attitude toward himself. Indoctrinated for generations by assurances of his inferiority, in many cases he was uncertain as to his own power to sustain this movement. One will tell you now: "I wasn't sure how well we'd stick together or how long we'd last. But the people were way out ahead of the leaders at first. Then we all went together and there wasn't any doubt we'd go on as long as necessary."

UNDER these pressures and doubts, the Negroes have discovered the power of their dollars, the strength of their religion and the hidden resources within themselves. And one of the sorest problems facing Negroes everywhere was met and solved: the bridging of that great gap between the really learned and the desperately illiterate. A white woman in Montgomery who had taken part in interracial group meetings said, "You met time and again with the Negro leaders but somehow you felt that you weren't ever touching the real core—couldn't reach that vast group of Negroes to even know what they were thinking. Even their leaders were isolated from them." But those the Rev. King calls "the Ph. D.'s and the D.s" were brought together by the boycott.

This was true because from first to last the movement worked through the churches. "The only way you can reach the great mass of Southern Negroes today is through their churches," one club woman said, "and the churches were the great power behind the success of this Montgomery boycott. It had religious meaning from the beginning."

If there have been improvements in the Negro community of a Sunday, perhaps even more important is the change in the Saturday night world. That cuttings, stabbings and drunkenness have decreased is attested by all the Negroes and admitted by most of the whites. As the pressures of despair and frustration have been partially supplanted by the pressures of self-respect and hopefulness, some of the destructiveness has been supplanted by better citizenship.

AS THE first days of bus integration passed without notable incident (a Negro woman reported she was slapped and shoved by a white man as she left the bus, and a white woman on another bus reported that a Negro man winked at her), some of the white community still were far from reconciled. We saw two young men sitting at the bus stop—wild, blue-eyed boys with sun-hardened skins. "Well, Buck, what we gonna do with these damned niggers?" And one of the leaders of the White Citizens' Council assured us, "The bus situation here is far, far from settled. It can erupt any time. We're doing our best to keep down any violence, but this is a highly charged situation. Some of these boys mean business."

A bulky taxi driver analyzed developments: "It's all looked all right so far. And it may go on quiet enough, if don't nobody get radical. But this thing's touchy. Could be set off any minute. Then who knows what'll happen?"

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Another said simply, "The South will always remain the South."

When a shotgun blast was fired at the Rev. King's home on December 23, the pastor did not notify the police. But he mentioned the incident quietly to his congregation during church services. "Even if my attackers 'get' me," he said, "they will still have to 'get' 50,000 other Negroes in Montgomery." He reminded his motionless visitors that "some of us may have to die," but urged his congregation never to falter in the belief that whatever else changed, God's love for all men would continue. "The glory to God that puts man in his place will make brothers of us all," he said. Such calm in the presence of violence must give the whole city pause.

A tentative proposal has been made to start a white bus boycott and organize a white car pool. The illogic of this, in view of the fact that the Negro car pool was ruled illegal a few weeks ago, seems not to have occurred to the proposers. With characteristic Southern humor someone suggested that the Negroes should run an ad in the local paper: "FOR SALE—Slightly used old station wagons for new car pools."!

No matter what may happen tomorrow in Montgomery, the fact remains that the Negro here will never be the same again. What one of the leaders, a tall, dark, articulate man, told us is obviously true: "On December 5 last year, the Negro in Montgomery grew from a boy to a man. He'll never be the same again. A white man had always said before, 'Boy, go do this,' 'Boy, do that,' and the Negro jumped and did it. Now he says, 'I don't believe I will,' or he does it, but up straight, looking at the white man. Not a boy any more. He grew up."

The image of the frontiersman has always been vivid in the American mind and memory. One of our frequent laments today is for the disappearing frontier which has been so much a part of American history. To a visitor in Montgomery there is the suggestion of a new frontiersman. His weapons are those of Thoreau and Gandhi rather than Crockett and Boone, but the wilderness he faces is no less terrifying. Working on the frontiers of a faith and freedom whose meanings and dynamics have been too little explored before this, these new frontiersmen, black and white, may lead us—and some of the colored and white millions of the world—into a new experience of democracy.

EAVESDROPPING ON JUSTICE . . *by EDMOND CAHN*

HARLAN FISKE STONE, Associate Justice of the Supreme Court 1925-1941 and Chief Justice 1941-46, had a venial defect. He was an excellent legal scholar, a staunch defender of civil liberties, a sound political conservative and a jurist of outstanding integrity. But as his wife and secretary continually warned him, he talked too freely.

Though always eager to observe the proprieties of judicial office, Stone felt a compulsive need to express personal opinions on various delicate subjects. The worst incident occurred in 1938 when, in a series of uninhibited talks with newspaper columnist Marquis Childs, he spilled his raw impressions of a new colleague, Justice Hugo L. Black. Childs forthwith published this "inside view," which brought humiliation and remorse not to Black but to Stone. The scandal inflicted harm on the very institution that Stone strove so earnestly to protect, i.e., the Supreme Court. In a splendid new biography entitled *Harlan Fiske Stone: Pillar of the Law* [see review on page 20], Professor Alpheus T. Mason of Princeton comments:

> Whatever the message Stone tried to convey, it evaporated completely in the shocked reaction to his alleged breach of judicial etiquette. "Honor among judges dictates that they must not talk about one another to outsiders," *The Nation* declared gravely, adding that Childs's accusation, true or not, had "not made matters any easier for the Justices themselves." "It should have been fairly clear," another commentator for the same journal wrote, "that an article purporting to reveal the inner workings of the Court, and purporting to represent Justices as lamenting professional unfitness on the part of another Justice, would be calculated to recoil."

On April 22, 1946, Chief Justice Stone collapsed while presiding over the Court. He died the same day without recovering consciousness. Under the circumstances, others took charge to dispose of the papers in his files, which contained voluminous correspondence, memoranda, private and confidential communications, notes exchanged with his colleagues and preliminary drafts of court opinions. Among these drafts were not only his own opinions, but also those prepared by other Justices, living and dead.

Apparently, Stone's family and executors turned all the papers over to Professor Mason. Exploiting the opportunity to the fullest, Mason has produced a fine and intensely interesting biography, replete with disclosed intimacies and revealed confidences. On the book's jacket, the publisher takes occasion to claim, "A notable feature of this work is the unprecedented use of personal comments which the Justices scribbled on the draft opinions that were circulated among them and later preserved in Stone's files."

This is true; the liberality with which Stone's biographer has published confidential notes and communications is genuinely "unprecedented." At least, I know of nothing quite comparable to it. It makes me think the time has arrived to raise the question: Is it socially desirable to expose confidential communications between a deceased

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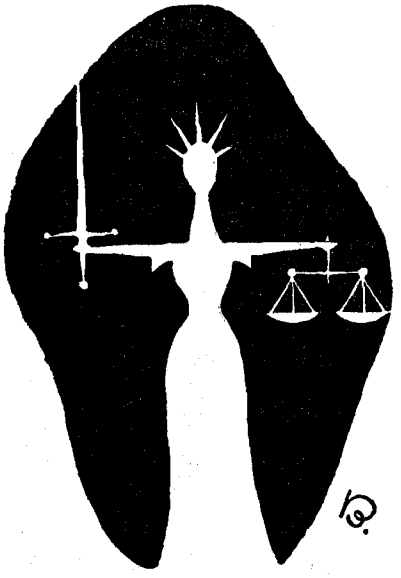
judge and his surviving colleagues?

The problem is peculiarly American; it would be regarded as chimerical on the continent of Europe. There, observers long accustomed to a completely different system are baffled by our national cult of judicial personality. On the continent, they believe that justice will be impartial, objective and dispassionate only if every effort is made to repress the judge's personal traits and distinctive mannerisms. Consequently, a decision—even in a momentous case—will generally consist of a few dry sentences, issued anonymously by authority of the court. The view is that it takes an impersonal institution to produce impersonal justice.

WE, ON THE contrary, never stop probing and delving into the motives and personalities of individual judges. Though, like our friends on the continent, we desire justice to be administered as impersonally as possible, we insist that anonymous hands may become irresponsible hands and that no man is fit to judge unless the people can ultimately pass judgment on him. In this perspective, biographical studies of important judges are not mere pabulum to satisfy our idle curiosity; they furnish useful and often valuable aids in understanding the judicial function within the republic. While something can be said on behalf of the European way (for example, timorous judges may exhibit more courage when they act as an anonymous body), the American way has the supreme advantage of linking responsibility directly to the exercise of power.

Nevertheless, our interest in judicial personalities, like all other interests, can be carried too far. When that occurs, we may become so absorbed in incident and anecdote that we lose sight of principle and rational doctrine. This generates a sort of "peephole jurisprudence," an appraisal that disregards everything except the peculiarities of the individual judge. Concededly, personalities and their clashes do possess a special attraction; yet a judge, even a mediocre one, is much more than his personality. To appreciate what he does in government, we must heed Holmes' statement that "The law is the calling of thinkers."

There are nine of them on the United States Supreme Court, nine thinkers of varying capacity. If one of the number sends a private note to another in the course of judicial business, is there a paramount social advantage in withholding the document from the gaze of the outside world? Individual advantages— pro-



tections for individual sensibilities—do not concern us here. Whenever the law respects a communication made in confidence, the main reason is public or social, i.e., the law has discovered a greater social benefit in protecting the confidential relation than in extracting the desired information. This is why a witness has the privilege of refusing to reveal confidences imparted to his lawyer, doctor, spouse or priest. In other words, there are prices which our society is not willing to pay, even for as precious a commodity as factual truth. This being so, what prices may we have to pay in order to obtain access to confidential papers like those in Chief Justice Stone's files?

The predictable prices of unlimited publication will be (1) unfairness and (2) divisiveness—each severe enough to give us pause.

The unfairness is already conspicuous. In some recent biographies of Supreme Court Justices, a reader finds far too many self-serving accounts and self-justifying explanations. Which side will reach the public first depends, rather capriciously, on who happens to die first. The surviving members of the bench feel constrained not to respond or defend themselves. Silence is the sole dignified course, but in a country accustomed to strident voices, few appreciate the rhetoric of silence.

Some of the revelations in Professor Mason's biography of Chief Justice Stone will surely cause unnecessary embarrassment. For instance, there is the incident of choosing a Justice to write the Court's opinion in the famous case of *Smith v. Allwright*. The case involved the constitutionality of applying racial discrimination in a party primary held in Texas to choose the Democratic candidate for Congress. After Stone had selected Justice Frankfurter as the Court's spokesman, Justice Jackson induced him to reassign the case to Justice Reed. Jackson's confidential memorandum, which Professor Mason prints in full, argues that the opinion would be "greatly weakened" if written by Justice Frankfurter because, among other objections, he is a Jew, a circumstance which "may grate on Southern sensibilities." I think the publication of this memorandum is as unfair to Jackson and Stone as to Frankfurter.

IF THESE revelations are embarrassing and unseemly, they are even more harmfully divisive. Will they not create an atmosphere of suspicion and distrust within the intimate councils and conferences of the Court? From now on, how can a Justice feel free to write confidential notes or private memoranda? Every individual judge may decide to establish his own secret hoard of notations, diary entries, and compromising data, so that, in due time, he or his biographer can win the race to the public. If the present trend continues, our lecherous curiosity may produce nine bitter adversaries instead of a Supreme Court. No judge will trust any other judge, for though a particular colleague seems to deserve confidence, who knows about his executor? In fine, a high judicial body cannot function effectually in an atmosphere of internal mistrust.

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As far as I can see, the problem is not primarily for biographers or historians. I believe it is a problem of ethics for the individual judge and a problem of policy for the corporate court. If the practice of exposing confidential communications is either unfair or divisive, every judge ought to assume the duty of preventing it. If a judge finds no way to establish his fame without exploiting breaches of confidence, then he should do without fame and put honor before honors. Surely, when a man has devoted his life to serving the cause of justice, he will not wish his biography to inflict injustice on his surviving colleagues, for he knows in advance that they will be muted by the proprieties of their office.

Ultimately, the problem is a corporate one, since it concerns the day-to-day efficacy of the Court itself. If the Court needs a right of privacy, it can secure the right by establishing explicit understandings among the Justices. The Court can also adopt appropriate rules to govern the disposition of memoranda, confidential notes, and preliminary drafts. In other words it can safeguard the public interest in free and uninhibited communication among its members.

One proposition is clear. In contemporary America, the right of privacy cannot be obtained by depending entirely on others' good taste and considerateness. It requires vigilance, fairness, and a proud sense of solidarity.

WEST INDIES: A Political Tour . . *by RUSSELL W. HOWE*

IT IS NEARLY half a millenium since Cristoforo Colombo of Genova stepped ashore on the sands of what is now Cuba and, being a politician as well as a navigator, declared without verification that he had found the Western route to India. By a curious compromise, geography talks still of the "West" Indies and "West" Indians. And, thanks also to Columbus, whom his Spanish sailors called Cristobal Colon, wherever a European settles uninvited and unwelcome he is still called a colonist.

Today the word colonist is anathema in the Caribbean; and this deep respect for independence, a thirst for education and an almost equally crying need for deliverance from poverty are the three binding factors which already hold the political patchwork quilt of the Antilles together.

In truth, the host of different flags and systems is simpler than it looks: three long-independent, politically similar states seek a painful path out of military dictatorship; the colonies of three secondary powers believe a trilingual federation lies ahead of them, and the islands of the United States seek ever greater political and economic autonomy within the concept of the union.

The Independent Countries. Prosperity offers legitimate means of making money, but poverty only offers two—corruption and exploitation. Both can function better under dictatorship. In this respect, Cuba, Haiti and the Dominican Republic belong to the Central American political complex.

Most of Cuba's population lives on two of the world's most depressed economies—cane and tobacco. Generous American investment and a tourist trade are, however, helping to raise living standards throughout the island.

Haiti, the proudest nation in the Caribbean and one of the poorest in the world, puts the Eighth Wonder of the World—Christophe's *Citadelle*—on almost all its official literature. This is symptomatic: its thriving French-language culture, which has produced numerous authors and poets, seeks most of its consolations in the storied past. The present holds little that is exceptional, unless it is the country's well-run tourist industry (75,000 Americans expected this winter). Haiti is vastly over-populated (about 4,000,000) and there are few indigenous industries. The university savant, on his way to a luxury hotel for a drink at the bar, may pass a woman, tortured by flies, giving birth unaided in the refuse-ridden dirt street. . . . A revolution of a left-wing character will probably take place in Haiti some time in the not too distant future. [Mr. Howe's forecast has already come true in part. This article was written before Haiti's ex-President Magloire's attempted putsch was foiled by the Haitian people. —Ed.]

HAITI'S unfriendly neighbor, the Dominican Republic, is another strong-arm dictatorship, but has achieved somewhat better results. As the price of self-glorification, Generalissimo Trujillo—as omnipresent, in photographs, as Stalin once was—has at least offered a nationwide medical service, paved streets and compulsory education through the eighth grade. But one must not look too far; per capita annual income is $201—and even that is probably a Trujillo exaggeration.

The British West Indies. In the first quarter of 1958, federal elections will be held for the first time throughout the British Caribbean for the election of a federated lower house. The forty-five members will come from Jamaica (pop. 1,500,000), Trinidad and Tobago (725,000), Barbados (240,000), the Windward Islands of Grenada (85,500), St. Lucia (85,500), St. Vincent (74,000) and Dominica (60,000), and the Leeward Islands of St. Kitts, Nevis and Anguilla (combined pop. 53,000), Antigua (50,000) and Mon-

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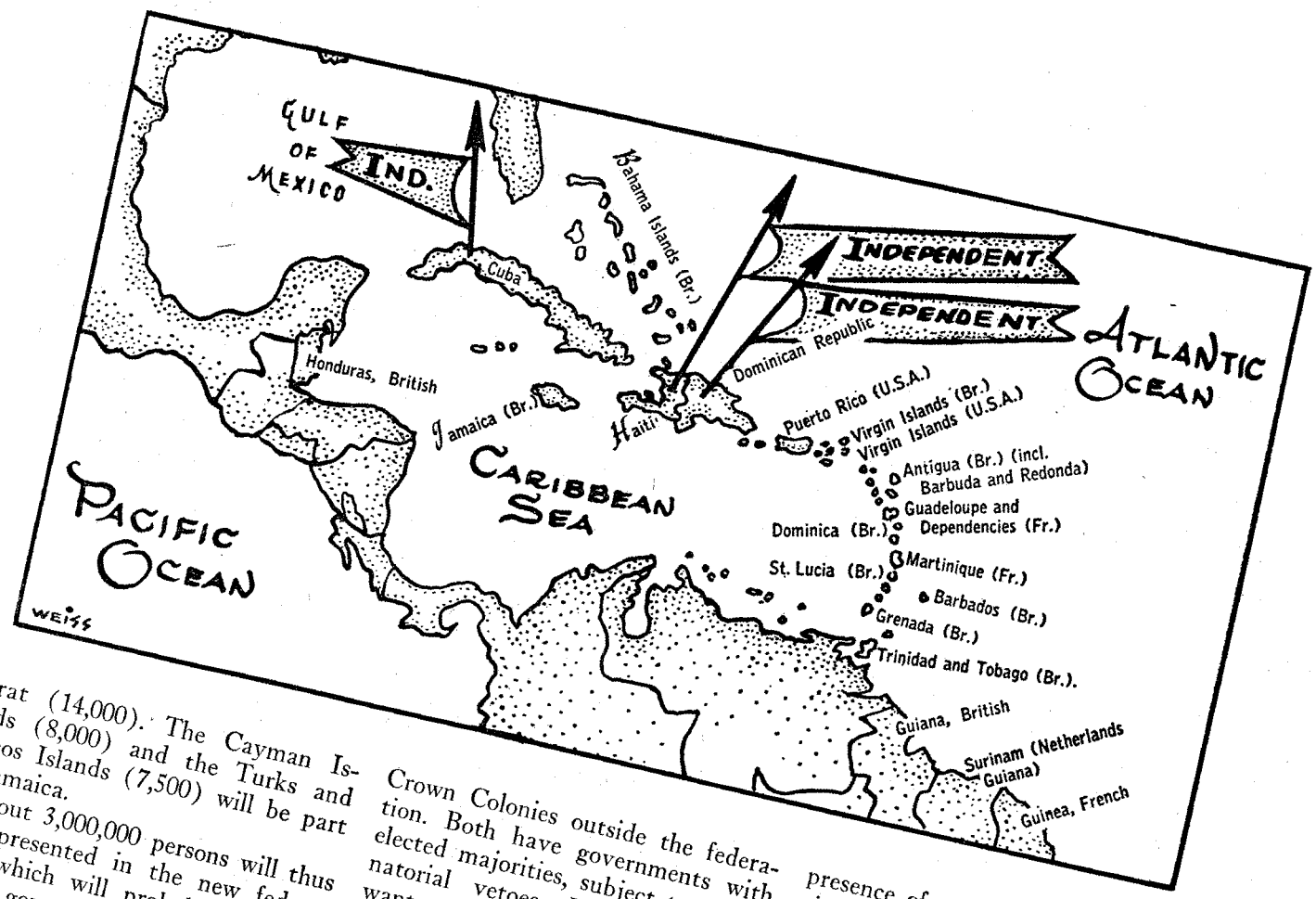

serrat (14,000). The Cayman Islands (8,000) and the Turks and Caicos Islands (7,500) will be part of Jamaica.

About 3,000,000 persons will thus be represented in the new federation, which will probably have its seat of government in Port-of-Spain, Trinidad. The door is left open for the British Virgin Islands (8,000), British Honduras (80,000) and British Guiana (525,000) to join later if they wish.

The federal government follows the pattern of governments already existing in the various islands (which will continue to have autonomy in local matters). There will be a federal council of state, or cabinet, of ten men ruled over by a Governor with veto powers, appointed by London. It will include three nominated, non-elected members holding key posts.

The British Caribbean Federation Bill, passed by Parliament in August, makes it clear that federation is a first step to independent, dominion status. Outstanding problems in the area are Bermuda and the Bahamas, where drastic constitutional reforms are still awaited, and British Guiana, where there has been no form of representative government at all since the Constitution was suspended in 1953. British Honduras and the Virgins chose voluntarily to remain Crown Colonies outside the federation. Both have governments with elected majorities, subject to gubernatorial vetoes. Most Hondurans want union with Guatemala.

The federal constitution, inspired by Australia's, is far from perfect, but it is clearly an important step. Unit (i.e., state) rights are emphasized not only because each island is jealous of its individuality, but also to give added weight to the smaller islands, where education is less developed and which consequently have a record of being less politically "troublesome" to Britain. In the all-nominated senate, which has powers to delay legislation for one year (three months on financial bills), Antigua, with its 50,000 population, gets the same number of senators (two) as Jamaica, with its 1,500,000.

JAMAICA, with its long history of war between the "landless proletariat" and the "plantocracy," helps to mirror the area's problems. Relatively industrialized, not entirely dependent on King Sugar, it still has an average income of only $1.50 per week. Most of the industries and large plantations are still in the hands of Europeans, many of them absentee owners.

Political feeling has always been strong. Local leaders say that the presence of a once-a-year barfly society of pseudo-aristocratic misfits from Britain—whose presence, incidentally, is useful to the tourist industry—has increased resentment against the "white bias" in government and also helped to make the Negro proletariat proud of its own race. The Chief Minister, on whom most of these problems of developing a more democratic society, and developing the island generally, now fall is an Oxford and Labor Party-trained lawyer, Norman Manley, leader of the majority People's National Party. Manley has figured prominently in the development of agricultural cooperatives which enable the peasant to increase his frighteningly low income, and in the forming of extremely strong labor unions modeled on those in Britain.

With the eccentric left-wing leader Bustamente now definitely in eclipse, Manley enjoys broad popular support. His stated aim is the formation of a Trilingual Caribbean federation grouping the British, Dutch and French islands and linked to the Pan-American economy. This ambition is shared by Eric Williams, the brilliant Socialist writer whose recently-founded People's National Movement won thirteen of the twenty-four elected seats in the thirty-one-member Trinidad Legislative Council at the September elec-

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tions, and who will be the new Chief Minister. With its oil and bitumen resources, Trinidad is richer and more industrialized than Jamaica and consequently has a higher educational level; but here racial problems are more delicate.

Trinidad had only twenty-four years of slavery. At Emancipation, in 1807, the spirit of independence of the Africans was consequently still present and the freedmen preferred poor private farming to continued work on the plantations. East Indian indentured labor was brought in to replace them. Today Indians form 35 per cent of the population. Always a minority, albeit a powerful one, they have clung to their own racial and religious organizations and formed their own parties. Williams' victory represented an important defeat for Indian parties and leaders; his goal is to achieve island unity on a non-racial basis.

In Trinidad, politics is overshadowed by a long history of riots and violent labor troubles, but Trinidad's Bustamente, Uriah Butler, is today likewise in eclipse. Here the usual pattern of poverty-stricken rural life is tempered by the presence of independent cocoa farmers with a modest but sufficient income.

In Barbados, a Labor Party government headed by Grantley H. Adams is gradually wresting power from the "plantocracy." Here too there has been a long record of political violence; poverty on the overpopulated island is endemic. Education is not compulsory, and health services are so poor that the infant mortality rate is 14 per cent.

IN THE colonial West Indies in general—French, British and Dutch—planters seem uninterested in long-term development, preferring a depressed agricultural economy which provides them, but not their workers, with a sufficient income. They still dominate the islands, but they have to make this domination less and less evident. An independent domination of all the British West Indies, with a Labor-type government, will emerge within the next ten years. The Bahamas and Bermuda will presumably be drawn into it. It is to be hoped that the final aim of a trilingual Caribbean Federation will be achieved in Manley's political lifetime, for throughout the West Indies it seems generally agreed that he is the ideal man to lead it through its early years.

The Dutch West Indies. Since December 1954, the Dutch islands (pop. 180,000) and Surinam (formerly Dutch Guiana, pop. 235,000) have had universal suffrage and a locally elected government. Holland retains a governor with veto powers, and he appoints the attorney general, judges and—curiously enough—the administrators of the insular districts. Foreign affairs, defense and internal security, including the administration of the police, are the domain of the Dutch parliament.

The granting of semi-dominion status to the Dutch possessions was an important step forward, but failed to satisfy local opinion. Invited to elect members to The Hague parliament, the local government refused; local leaders repeated their call for "complete autonomy." They did, however, agree to send plenipotentiaries to Holland to advise on West Indian affairs.

There is considerable interest, in the Dutch possessions, in the eventual formation of an independent, trilingual federation.

The French West Indies. Paris is the world capital of the arts; the Frenchman the most educated being on earth, the epitome of Western culture. But his genius is one of catalysis—the uniting of foreign ideas and cultures and producing a skilful synthesis. The Frenchman himself is unexportable. He cannot adapt to situations. He nurtures the insane idea that he can make everybody French.

As the Dutch and British West Indies have moved towards the inevitable—independence and closer ties with the neighboring American economy—France has tried to steer a backward course in the French Antilles.

Since January 1, 1948, Guadeloupe and Martinique have been departments of Metropolitan France, theoretically the same as, say, the Pas-de-Calais or the Maritime Alps. In point of fact the countries have remained purely and simply colonies. If "departmentalizing" has brought civil servants' wages up to those of France proper (which is just as well, as the cost of living is 65 per cent higher than it is in Paris) it has not brought liberty, equality and fraternity to the rest of the population.

In France, the parents of five children would draw 33,045 francs ($94.40) monthly in children's allowances; in Martinique and Guadeloupe, 7,530 francs ($21.51). Salaries average 15 per cent less than in France, despite high living costs. Cane workers get $2.12 a day.

BASIC expenditure in any country is rent, and here the comparison with Paris is staggering. This writer rents an apartment in Paris (two rooms, kitchen and bathroom in an old building) for $60 a year. In the filthy slum of Point-à-Pitre, the islands' biggest city (pop. 50,000), the same size apartment built in termite-ridden clapboard, without water, gas or electricity, in an open-drain street, would cost about $45 *a month.*

America's Virgin Islands (pop. 30,000) have two senior high schools, and local legislators call classroom shortage the islands' greatest single problem. But Guadeloupe, with ten times the population, also has two senior high schools. However, education in the equivalent of grade school is so good—as good as in France—that the intellectual level is probably higher in the French Antilles than anywhere else in the Caribbean. The semi-starving, one-meal-a-day peasant worker, emerging from the canebrakes on the way to his six-by-eight-foot-clapboard cabin, will drop the chanting créole tongue to give you directions in a French which is far better, more grammatical and more clearly pronounced than the English of the average English-speaking university student.

Nowhere in the Caribbean so much as in Guadeloupe was I so impressed with the presence of a people undoubtedly capable of any achievement, material or spiritual, and nowhere were the opportunities so blocked.

The populations are: Guadeloupe,

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300,000; Martinique, 270,000. There are no figures for the ethnic proportions, but a fair guess would be 10 per cent Negro, 88 per cent créole, 2 per cent white. Most of the tiny white minority are in the main towns of Point-à-Pitre, Basse-Terre (Guadeloupe) and Fort-de-France (Martinique).

ONE RESULT of the fictitious "departmentalization" of the Antilles has meant that instead of governors trained to the problems of colonial economies, Guadeloupe and Martinique now have prefects—political appointees who last year were dealing with coal mines in the *Nord* and who in two years' time will have moved on to vineyard problems in the Hérault. Instead of the local parliaments of the British, Dutch and American West Indies, the French Antilles are just a tiny voice in the Paris Assembly, striving to get a long-term policy out of short-lived governments. Evidence of the dissatisfaction comes through in the nature of their representation—one of Guadeloupe's three deputies and two of Martinique's three are Communists, including the noted Martiniquais poet Aimé Césaire.

At night, angry French West Indians walk the filthy ill-paved streets of Point-à-Pitre, where termites as long as fingers scuttle across one's path and dogs fight with rats in the strewn garbage, to write *"A bas la fraude"* ("Down with the fraud" of departmentalization) on the crumbling walls.

Point-à-Pitre resembles a poor town in Africa. Syrian merchants, who have something of a corner on retail trade, sell bolts of cloth and trinkets on the sidewalks, and almost everything available is made in France. Even vegetables and eggs are brought from France. Most of the meat is imported. There is a grave need for stockbreeding. And because music records too must come from Paris, there is even a dearth of calypso music. The Antillais must listen to Piaf and Bécaud singing of unrequited love in Pigalle, in a slang they can barely understand.

This is the crux of the problem: France's only interest in the Antilles is as a dumping ground for her products.

Real departments as dismally poor as Guadeloupe and Martinique would get aid from the central government—for instance in building. But there are only tiny token developments: Paris draws many millions more out of the islands than she will ever put in. The few American goods on sale have often crossed the Atlantic twice, thus putting a high tally of French middlemen and freighter-company charges on the retail price. Every person I spoke to in the French islands wanted cheap American goods to become available, and incentives to be offered so that a few American industries will set up shop. Many Antillais have been to Puerto Rico—a few as Point Four guests—and all of them have been impressed. But the sugar tycoons, the *plantocratie,* oppose the creation of industries, especially foreign industries, as they fear these will draw the workers to the towns and interfere with the high unemployment-low wages pattern. To stem the tide, they brandish the bogey—which newspaper stories from Mississippi and Tennessee support—"If the *Yanquis* come in, they will bring in their racial discrimination."

In truth, racial discrimination already exists in the French Antilles. The French colonist is not as "distant" as the British, but he is, if anything, even less concerned with Caribbean welfare and just as racist. At home, the Frenchman is practically without prejudice. Abroad, the prime motive for prejudice—economics—enters the picture, and he joins the pattern. If Guadeloupe and Martinique are treated as Cinderella departments, it is because they are predominantly non-European ethnically (though the French legislator is always careful to flatter the créoles in his speeches, to call the islands "daughters of France"). He knows—and acts accordingly—that the Antillais may be Catholic, French-speaking and have many French customs, but that beneath it all they are conscious first and foremost of being a colonized, exploited people and that their "motherland" is not France but the Caribbean.

Plans to encourage tourists, to build, to repair, are on the cautious level. France knows, probably, that the era of Mendès-France, soon to come, will mean, among many other things, autonomy for the French Antilles. But that is hypothesis. For the moment, the French Antilles are the stumbling block to Caribbean federation and the eventual economic union of all the islands—including Cuba, Haiti, etc.—in the area. Under departmentalization, the Council-General has lost its original semi-autonomy. The representation in Paris is no gain, since it existed in colonial days; African colonies have the same prerogative. Some of the social facilities set up in colonial days—for instance, local employment bureaus—have been abolished. What is grave is that department status was clearly intended to prevent emancipation, and at best is sure to slow it up.

CONCLUSION. The facts are clear: the Caribbean is a part of the Pan-American economy; the colonial islands desire independence, federation and an economic union with the already independent countries of the area. The islands are undernourished, underdeveloped and above all undereducated; these problems American industry could help them solve, and they in return could offer special tax inducements. The stumbling blocks to realization of this dream lie in small but powerful lobbies in London, The Hague and especially Paris. Washington is not without a powerful voice in each of these places.

In the matter of independence for colonial territories, the most strategic time to act is always yesterday. In this sense, the moment is certainly ripe for the State Department to begin pushing the Caribbean Federal Republic idea in the chancelleries of Europe. The reward will be good neighborly relations and good business: by U. S. standards, labor will be "cheap" in the West Indies for some time to come, and taxation less arduous; and as living standards rise, so will demand for American goods.

Next week I will review U. S. possessions in the Caribbean.

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BOOKS and the ARTS

The Valid Basis of Judicial Power

THE LEGACY OF HOLMES AND BRANDEIS. By Samuel J. Konefsky. The Macmillan Company. $6.

HARLAN FISKE STONE: PILLAR OF THE LAW. By Alpheus Thomas Mason. The Viking Press. $8.75.

By Earl Latham

CHARLES P. CURTIS reports a remark once made by Justice Holmes to Justice Stone which is apposite to the question of judicial power: "About seventy-five years ago," he said, "I learned that I was not God. And so, when the people of the various states want to do something I can't find anything in the Constitution expressly forbidding them to do, I say, whether I like it or not, 'God-dammit, let 'em do it!'" Two new books remind us of the controversy of two decades ago on the nature of the judicial power and of philosophical troubles in the Court today that stem directly from the famous battle of the bench.

Samuel Konefsky has produced a work on *The Legacy of Holmes and Brandeis* that has the great merit of bringing together in one place for a new appraisal much of the comment made by many on the work and writing of Holmes and Brandeis. Alpheus T. Mason's biography, *Harlan Fiske Stone, Pillar of the Law* deserves and should get a high prize for its comprehension, mastery of materials, and felicity of exposition through 900 fascinating pages.

In looking into the works of Holmes, Brandeis and Stone, one gets fresh appreciation of the durability of the central issue in the struggles of the thirties—the nature of judicial power. It may well be—when all the dams have crumbled and the last social security check has been paid—that the really big thing in the New Deal era was the controversy over judicial power.

THE Supreme Court is an unrepresentative institution in the sense that it derives no authority from the polls. Even the power of the military and administrative people is legitimized by its origin in the power of the President, which in turn is derived from the electorate. One cannot agree with the argument of Rostow quoted by Konefsky that, "Given the possibility of constitutional amendment, there is nothing undemocratic in having responsible and independent judges act as important constitutional mediators." Constitutional amendment and the "benign influence of time" which takes judges to their Maker are not institutional checks for making power routinely responsible, any more than are the drastic correctives of assassination and revolution in dictatorships.

The judicial power, then, is not, like that of the popular officials, made legitimate by its origin, but it can be made legitimate by its use. Holmes's reasonable man is a formula to legitimize judicial power; as is Stone's famous phrase about judicial self-restraint. This is also the meaning of his earlier caution against obtruding personal economic predilections into the law. Legitimacy is established when the judges give effect to the policy of the elected branches and do not forestall this effect because they disagree with it.

It must be recognized that conservative jurisprudence rejects this conception of legitimacy. Like ecclesiastical power, judicial power is said to be legitimized by its origin, not in a contemporary electorate, to be sure, but in a metasocial source, which is never very clearly located. Around this inchoate notion many myths serve to shore up the power position of the judges. Among these is the fiction that the judges have the "final say" and that the Court is the "final arbiter," to use two phrases of Konefsky. The function of the judge then becomes the simple thing that Roberts said it was in the Butler Case: to prononce the final word, without will, in helpless compliance with the inexorable rule. The view that judges have the last word, and that the Supreme Court exercises final judgment can be true only in a limited sense—as where a defendant is executed. It cannot be true where the social and political processes are circular and not linear as lawyers make believe it is.

Since the Court's power is legitimized by the use and purpose to which it is put, and not by its origin in popular mandate, it must have constituencies outside the judiciary to validate its use of power.

Such dependence prevents the Court from resolving really fundamental issues by itself. It must wait for the felt need to appear in decisive popular enlargement so as to be unmistakably visible. To quote Mason: "The Supreme Court has rarely been able to resolve really fundamental issues. In all our great debates preceding crystallization of majority sentiment, its rulings have usually proved no more effective, as Stone said, than a boy's mud dam on a rain-swollen creek." The difficulty in the Court over which Stone presided as Chief Justice was that there was no longer a clear constituency upon which the judges could lean. The New Deal was dead everywhere except in the Supreme Court and the judges were split as to what it meant. This is the only time in the history of the Court when it was more liberal than the Congress, and it says something for the finality of Court pronouncements that when the judges went farther than the Congress thought they should, Congress reversed the judges.

In the great debate on judicial power, Holmes and Brandeis really stand in one position with each other,

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and Stone somewhat more to one side, although by no means behind. Although Holmes has had a better press than either of his two famous colleagues, he perhaps has left least for others to use. His vision of himself as a judge, and of his relation to the great world around him, was too personal, too idiosyncratic, not institutional enough, to be transmitted to others. Konefsky would be one of the first to argue that comparing judges in terms of an undefined "greatness" is a little like trying to establish whether Betelgeuse or Alpha Centauri is the more "important." But in terms of unexpressed values—like a strong libertarian position and a strong social and economic program—Brandeis was the more effective partisan.

Stone's task—to solve for himself the ways in which judicial power could be made acceptably legitimate—was intellectually more difficult for him than it was either for Holmes or Brandeis. If you are a Brandeis and want smaller corporations and bigger unions, minimum wages legislation, hours and safety regulations in factories, rate regulation by competent commissioners, you have only to fit the argument to the case to suit the doctrinary program. If you are a Holmes, you simply turn your back on it all, and let foolish men enact senseless statutes, so long as they observe a minimum decorum. But without Holmes's cosmic caution or Brandeis' partisan program, you have to think your way from case to case. The opinions of Holmes and Brandeis make sense by themselves because in a sense they are by themselves—independent of the institutional context in which they were read. This is not so of Stone.

Stone was a blend of Holmes and Brandeis but he was also himself. He worked, as they sometimes did not, within the institutional context of the Court to develop new formulations for clearing away dead precedent to let new growths of principle develop if possible. He was a husbandman of the law, a patient forester, a planter of seedlings, a trimmer of thickets—unwilling to disturb the balance of nature too violently—but concerned always to keep it from stagnation and death—working always to keep it vital and growing. The case books are full of such formulations besides the spectacular ones, like the Gobitis Case on religious freedom. Space prevents description of these doctrines but they all have one thing in common—they represent effort to think of the problem of judicial power in some systematic and institutional sense. Stone never went so far as even to suggest that the judicial power be abdicated, but he was concerned to find employments for it that would legitimize it and bring it into accord with political power, and thought that even then it should be exercised very moderately. Gradual adjustment of law to need without yielding the control, although forever making its exercise legitimate by use, is an approach that may be the most valuable legacy of Stone to future Courts.

THE legacy of Holmes and Brandeis may be much less significant. For Holmes, this is about summed up in the doctrine of the reasonable man and the doctrine of clear and present danger, a fatal dualism whose incongruity was eventually resolved by the judges in 1950 in favor of the reasonable man. That is to say, the logic which supports the conclusion that legislators can be trusted to shape social and economic policy may also support the conclusion that they can be trusted to regulate civil liberties. If judicial power is abdicated in the first instance on the ground that the law must express the felt needs of the times, how is it to be recovered to protect defendants in civil liberties cases? The chief concept to justify intervention was the clear and present danger doctrine which Holmes during his tenure was able to get only Brandeis to accept.

One legacy of Holmes and Brandeis to their immediate successors, then, is confusion. Most of the judges have had a crack at trying to work a way out of the dilemma. Absolutists like Justice Douglas take the position that the prohibitions of the First Amendment are flat and final. If so, the obscenity statutes are all unconstitutional. Some like Justice Frankfurter seem to have resolved the problem on true Holmesean grounds by supporting the legislative act both when it regulates the economy and when it regulates more personal affairs. One judge has said that there are two Fourteenth Amendments, one for social legislation and one for civil liberties, a way of resolving an inconsistency by assuming that it doesn't exist.

To the resolution of this dilemma of the judicial power—for which Holmes and Brandeis are the intellectual fathers—Stone also made a contribution. This is the doctrine of the preferred freedoms which Konefsky and Mason ascribe to Stone and which one of Stone's former law clerks ascribes in large part to himself. The Court came to accept this doctrine in a case in which Stone dissented. A corollary of the doctrine of political restraints, this view of

British Leftish Poetry, 1930-40

Auden, McNeice, Day Lewis, I have read them all,
Hoping against hope to hear the authentic call.
"A tragical disappointment. There was I
Hoping to hear old Aeschylus, when the Herald
Called out, 'Theognis, bring your chorus forward.'
Imagine what my feelings must have been!
But then Dexitheus pleased me coming forward
And singing his Boeotian melody:
But next came Chaeris with his music truly
That turned me sick and killed me very nearly.
And never in my lifetime, man or boy,
Was I so vexed as at the present moment;
To see the Pnyx, at this time of the morning,
Quite empty, when the Assembly should be full" *
And know the explanation I must pass is this
—You cannot light a match on a crumbling wall.

HUGH MacDIARMID

* Aristophanes, *The Acharnians*.

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Stone's held that where the political processes could not be depended upon to guarantee the existence of the fundamental rights upon which the political process itself stands, the judges must intervene. Characteristically Stone developed this rationale for the exercise of judicial power in a footnote, did not enshrine it in easily quoted phrases, and related it to the institutional context within which the judges work. But of all the formulations since 1937, this doctrine has some of the rigor of close political theory to support it, as others do not have. It is a unifying conception in which the whole corpus of judicial power can be held.

Jazz: Players and Principles

THE STORY OF JAZZ. By Marshall W. Stearns. Oxford University Press. $5.75.

THE HEART OF JAZZ. By William L. Grossman and Jack W. Farrell. New York University Press. $6.50.

GUIDE TO JAZZ. By Hugues Panassie and Madeleine Gautier. Houghton Mifflin Co. $4.

By John S. Wilson

POSSIBLY because improvisation is an essential element of jazz, writers who tackle the subject have often gone to work on their typewriters as though they, too, were being challenged to create an inspired variation on a theme.

This method has produced a discouraging quantity of murky, slapdash thinking. But jazz writing is a young art (less than twenty-five years old) and even though it has committed its share of youthful indiscretions—many of which have at least had the merit of giving vent to an author's enthusiasm—it is also producing a growing list of explicit, rational and carefully-written works.

The first two American books on jazz—Winthrop Sargeant's *Jazz, Hot and Hybrid* (1938) and Wilder Hobson's *American Jazz Music* (1939)—were ably written, but did little more than skim a selected part of the surface. The first real effort to present the history of jazz came in another 1939 publication, *Jazzmen*, a collection of pieces edited by Fredric Ramsey, Jr., and Charles Edward Smith. Since then Sidney Finkelstein *(Jazz, a People's Music)* and Barry Ulanov *(A History of Jazz in the United States)* have dealt effectively with the overall development of jazz, while Rudi Blesh *(Shining Trumpets)* and Rex Harris *(Jazz)* have given able presentations of a more restricted conception.

THE TWO most recent histories, *The Story of Jazz* by Marshall Stearns and *The Heart of Jazz* by William L. Grossman and Jack W. Farrell, carry both of these lines a bit farther than they have gone before. Dr. Stearns's book has several distinctions, not the least of which is the convincing evidence he offers that directness, clarity and simplicity are possible in jazz writing.

In telling the story of the development of jazz, he has chosen to reverse the balance of emphasis which has been followed by most of the earlier writers. Instead of briefly suggesting something of the origins of the musical strains which became jazz and dwelling at length on the principal personalities and musical styles involved in its history, Dr. Stearns devotes almost half of his book to a fascinating exploration of the various pre-jazz skeins and skips somewhat lightly and nimbly through the actual history of the music once it reached the stage of being identifiably jazz.

This reversal produces both the strength and the weakness of the book. The author's analytical description of the transfer of West African tribal rhythms to this country and their mixture with stark Protestant hymns and the harmonic warmth of the Latin-Catholic community around New Orleans is a penetrating and reasoned bit of research. He follows this with what may well be the most valuable section of the book—an admirable accounting of the American elements that contributed to jazz which includes chapters on the work song, the blues, minstrelsy, the spiritual and ragtime.

All of this should be of great interest to the informed jazz reader, who would probably also go along with Dr. Stearns's foreshortening of the frequently repeated history of personalities and styles. The uninitiated reader, however, is likely to find too many unexplained gaps in this historical section and to become impatient with the long and detailed exploration of jazz origins with which the book opens. But these origins have needed the kind of examination that Dr. Stearns gives them and, although he has written a capable book in general, it is largely on the basis of his examination of jazz roots that it stands as one of the best of all books on jazz.

THE music that Mr. Grossman and Mr. Farrell deal with in *The Heart of Jazz* is traditional New Orleans jazz. They take the viewpoint that jazz fell into an unfortunate deviation with the appearance of the hot soloist and they date the decline from the rise of Louis Armstrong in the middle twenties.

In actuality, the book is two works, one by Mr. Farrell and one by Mr. Grossman. Mr. Farrell has written a useful description of the usual instruments and their roles in a traditional jazz band and he discusses some of the early groups and those which have taken part in the recent traditionalist revival. His comments on these groups, however, are not as useful as they might be because his attitude tends to be indiscriminately adulatory, particularly when he is dealing with the latter-day New Orleans bands. One gets the feeling that even the most inadequate of the revivalists must be an inspired genius compared to those misguided and sometimes depraved musicians who have followed some deviationist trail (although an occasional revolutionary, such as Miff Mole or Jack Teagarden, is spoken of politely).

JOHN S. WILSON reviews jazz for the New York Times *and* High Fidelity. *For three years his Monday night program, "The World of Jazz," has been carried by WQXR. It is the only jazz broadcast by this station.*

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But before Mr. Farrell is allowed to contribute his specialized knowledge to this book, Mr. Grossman challenges the reader to wade through a swamp of prose designed to prove that traditional New Orleans jazz is a "Christian" music and that that is why it is good. With appalling lack of humor, Mr. Grossman clutches at any reference to religion in connection with jazz on the assumption that he is proving his point.

He notes that Robert Goffin, a Belgian writer, once described King Oliver as "holding his cornet with the fervor of a preacher holding the Bible."

He finds that "a substanial part of the audience" listening to a performance by Turk Murphy's band in Philadelphia in 1954 "begged for a rendition" of *Just a Closer Walk with Thee* (a warhorse of the traditional jazz repertory), and remarks, "It is hard to escape the conclusion that members of the audience were seeking a specifically Christian experience."

The colloquial characterization of New Orleans jazz as "righteous," which he describes as "an adjective associated with religion and especially with Judaism and Christianity," can be explained most naturally, he says, as "a reflection of a conspicuously religious character in the music."

Hymns, spirituals and religious ceremonies were important contributing elements to jazz, as Dr. Stearns makes clear, and many jazz musicians have been and are religious people (Mr. Grossman includes this in his arsenal) but this does not necessarily suggest the "Christianity" of jazz any more than does Mr. Grossman's grab-bag of misconceptions. Even those who hold the same views as Mr. Farrell and Mr. Grossman on the relative merit of traditional jazz as opposed to other types will have a hard time hanging on to Mr. Grossman's tortured reasoning, and those who hope to learn something about jazz from his discussion could hardly get off on a worse footing. Fortunately, Dr. Stearns is handily available with an antidote.

THE latest book by the French jazz critic, Hugues Panassie, *Guide to Jazz*, written in collaboration with Madeleine Gautier, is not quite as limited in its viewpoint as the Grossman-Farrell essay but, as a reference work, it is more a guide to Mr. Panassie's joys and horrors than to jazz. The book, in dictionary form, is made up of brief biographies of jazz musicians, explanations of the musical terminology of jazz and essential details about some of the tunes most favored by jazz bands.

Like Mr. Grossman and Mr. Farrell, Mr. Panassie dismisses bop, modern, cool and progressive jazz as beyond the pale. Unlike Mr. Grossman and Mr. Farrell, he hails Louis Armstrong as the greatest genius produced by jazz and views swing as the last stand of the real jazz.

He has no compunction about expressing his opinions strongly right down the line, a luxury which drastically reduces the reference value of the book. His bias, both pro (Mezz Mezzrow "is not only one of the great clarinets but one of the great white jazz musicians") and con (Charlie Parker, who "gave up jazz in favor of bop . . . could play fine jazz in his early days, as can be heard from the records he made with Jay McShann") leaves too many of his comments open to question.

But just as Dr. Stearns's book has made a timely appearance to offset the cramped views of Mr. Grossman and Mr. Farrell, Leonard Feather's wide-ranging, unopinionated and invaluable collection of jazz biographies, *The Encyclopedia of Jazz*, is already on hand to provide a guide to the *Guide to Jazz*.

The Poet and the Social Man

THE UNADJUSTED MAN. By Peter Viereck. The Beacon Press. $5.

By Harold Clurman

PETER VIERECK calls himself a "new conservative." But we have not read many pages of his enjoyable book before we surmise that he might just as well have called his ideology a "new radicalism." True, he tries to make clear what the basic philosophical differences between radicalism and conservatism are, and we see in the final count that he has a temperamental affinity with, or more accurately a need to side with, the "conservatives." The fact remains—and the common garden variety of conservative would be the first to tell him so—that Viereck's conservatism cannot be reduced to a platform or a program at all. He is essentially a poet.

Viereck's strongest impulse is a protest against our crass materialism. His book bears an epigraph from Thoreau: "We do not ride the railroad, it rides upon us." Viereck draws a distinction between the Overadjusted Man, complacent or enthusiastic yea-sayer to the status quo of human mechanizations, and the Unadjusted Man, protestant in the name of permanent spiritual values (the godhead in us) against intellectual and moral compliance. "The antidote against systematized delusions," Viereck writes, "deifying or diabolizing any particular class, profession or nationality, is to revere whatever lives as individual, evergrowing and unclassifiable, and not to dehumanize it into a walking category. . . . Whoever sincerely conserves religious, aesthetic, and historical values should resist those who exploit such values for material greed."

Down then with rigid definitions, political abstractions, and arbitrary labelling of people as good or wicked, liberals or conservatives. Let us judge political issues in concrete contexts and see whether or not they serve beneficial ends in particular instances. So Viereck champions Stevenson Democrats and Eisenhower Republicans — and asks acutely enough, "Is Eisenhower an Eisenhower Republican?" Viereck is anti-Communist, anti-McCarthy. He is more than a little skeptical of the liberalizing value of direct democracy because the masses can become as tyrannical as any dictator; therefore we need such restraints as the American Federalists provided for in our Constitution. He proves —or tries to prove—in a stimulating chapter that some of our most rabid reactionaries have their roots in Midwestern Populism, whose outstanding figure was none other than the elder LaFollette, whom he hopes not to underestimate.

All this is provocative and useful, whether or not one agrees. Even better are such chapters of social analysis as "The Suburbs Beat Us" in which Viereck shows how the once indigent social and racial minorities become snobbish and aggressively "Overadjusted" when prosperity captures them. There are

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good pages on modern poetry and criticism, and even a perceptive defense of the *religious* spirit within the so-called materialistic radicalism of the literati of the 'thirties. These passages represent the admirable insights of a studious poet—sympathetic and enlightening as the intuitions of artists frequently are in the sociological field.

Yet politically and philosophically there are lapses into amazing naiveté—again characteristic of poets when they try to argue closely in these areas. Brutal tyranny is frequently the end result of radical and Socialist endeavor, because, Viereck reiterates, radicals believe in human perfectability and reject the doctrine of original sin. A historian could easily draw up a list of at least an equal number of blood-stained clerics, diplomats, kings and czars who held contrary views.

There is no necessary connection between a belief in human perfectability and stupidity. The intelligent man who is inclined to such a belief does not actually think that because he makes an effort to improve the condition of man that men will then in fact become "perfect." Pessimism may serve as a corrective to the folly of total optimism—both attitudes are relative and neither wholly true—but it may also be used as a rationalization for repression and an obstruction to creative action and thus a blighting force.

Viereck should follow his own line and understand that political thought and behavior to be valid must be viewed in the framework of concrete social circumstances that an *a priori* conservative program is no better than an *a priori* radical one.

As a poet, he might ponder the words of another poet and conservative, Paul Valéry: "Two dangers constantly threaten the world: order and disorder. . . . The world acquires value only through its extremes and endures only through moderation; extremists make the world great, the moderates give it stability." How then is one to arrive at a judgment? As Viereck suggests, only through the needs of the specific moment. For as Valéry also said, in the absolute "all points of view are false." No philosophy by itself insures us against error.

Brecht's English Rogues

THREE PENNY NOVEL. By Bertolt Brecht. Translated by Desmond I. Vesey (Verse translations by Christopher Isherwood.) Grove Press. $3.75. Evergreen (paperback). $1.75.

By Herbert Gold

BERTOLT BRECHT brings out the bubbling schizophrenia of *Time's* book section, whose anonymous critic wrote: "This is a corrosively funny novel about business chicanery . . . raffishly vital . . . irrespressible sense of humor." In other words, Somebody Up There Likes Brecht. But then, after a loving summary of the action and comparisons to Melville and Ben Jonson, comes a final warning from the everpresent ideologue that sulks within *Time's* happy reviewer: "Nonetheless, it is necessary to remember that not so long ago millions of people used to take this sort of monstrous caricature as the truth—and many still do."

In other words, read at your own risk. Who are the characters that millions of people used to believe in? Well, there is O'Hara, who professionally got shoplifters pregnant so that they would enjoy more sympathy in court; Lord Bloomsbury, who begged not to be forced to marry an American heiress, pleading homosexuality ("That's no excuse!" he was sternly informed); the lovely Polly Peachum (the plot skeleton of the novel is the plot skeleton of *Threepenny Opera),* who had philosophical and ethical reasons for not committing adultery, but unfortunately also had sexual reasons for doing it ("I will be recognized by the deep lines in my face," she morosely brooded before, but always felt rosy afterwards); MacHeath, the gang leader turned business man ("What is the murder of a man compared to the employment of a man?"); Peachum, the king of the beggars, who traded in misery, even his own, and ran a factory for carving mutilated limbs, starving dogs and ironing grease into beggars' clothes.

So be warned, O ye millions of innocents! This is not the truth; this is merely monstrous caricature. And yet, and yet. . . .

It tells with sour ribaldry of life in a fantastical imaginary London where crime is treated like a business, including even the business man's protectionist chauvinism about locally made goods, as in the debate about whether to buy French or English burglary tools.

Later on, the decline of venture capitalism is depicted with loving horror. The burglars who used to sell what they burgled on commission become salaried bureaucrats, stealing as mere employees.

Brecht's wit breaks over our heads like flakes of ice. Even middle-class pride in children is not spared, as when Fewcoombey meditates on Polly's eagerness to find money for an abortion: "Every mother thinks her own child too good for this world. Her child must be made the exception!" And then Brecht devotes himself to the unctions and greed of the doctor Polly sees:

> An embryo life is sacred, my child! The Church has not made its great pronouncements for nothing. When, in your youthful lightheartedness, you took your pleasure, you should have thought of its consequences. . . . Fifteen pounds, and that's payable in advance.

The Commissioner of Police, Brown, a man possessed of the great virtue of loyalty—loyalty to anybody who buys him—is one of the several warmhearted philosophers in this novel. He understands that everyone is fighting to recover what has never been his own.

Thus the business goes on—selling rotting ships to the government, fabricating crippled beggars, close infighting for Polly among father, lover and hus-

HERBERT GOLD is the author of The Man Who Was Not With It.

Song

Friends by appointment call;
Timed, even friendships pall.
Clock hands contract and close
Blocking our least repose,
Cross, and confound the way
To be still and to pray.

But light slips from the sky
Freeing the weary eye
At last to leave the page,
The mind to re-engage
Doubts it ignored by day,
And at last we would pray.

Only then we confess
Work is not busyness,
Leisure no idle toy,
Blind carelessness not joy,
And curse this world's decay
As our mind wills to pray.

Comfort cannot insure
Life is no sinecure;
We know in that quick glance
Men are not great by chance
And close with our dismay;
It is late, late to pray.

We realize alone
What we had always known:
All of our goods are nought
Save this one moment's thought.
We can no more delay—
Let us think; let us pray.

ELLEN KAY

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band because of her cash value, looting banks and dummy corporations—all in the smiling atmosphere of bourgeois kitchens, steam baths, restaurants, boudoirs, banks, offices, bawdyhouse parlors. It is surely the comic masterpiece of the ferocious German Marxist impressionist poet playwright satirist—what a lot of adjectives! Let us follow *Time's* advice, reading it with anguished laughter: it is a masterpiece, but not the Truth which Herman Wouk can give us.

Pouring Oil on the Atom

ATOMIC QUEST. By Arthur H. Compton. Oxford University Press. $5.

By Richard Rose

THE MOST significant thing in Arthur Compton's personal story of the making of the atomic bomb is what the author does *not* see. From his background as a director in the Manhattan Project, he has had an especially good scientific vantage point. Unfortunately, when this member of a noted family of scientists turns humanist he suddenly loses laboratory objectivity and preciseness. He is no more able to see the pessimistic side of human behavior than a campaigning Republican. Instead, he wallows in platitudes that would shock his humanist colleagues and, presumably, his minister father.

The importance of this book by the Nobel Prize-winning physicist is that he can claim to be the foremost scientific spokesman for the Eisenhower philosophy. His chief qualifying characteristic is that habit of making words say either the obvious or the ambiguous, and sometimes both. When faced with a critical problem he smiles and is silent, preparing to pour oil on troubled waters after the ship goes down.

In recognition of his particular ability to hear no evil, see no evil and speak no evil, Compton has received a Presidential appointment to the advisory committee on a national order of merit. He also holds an Eisenhower appointment to the board of the Smithsonian Institution and serves as guest speaker for such learned societies as the American Iron and Steel Institute.

In this new book, given page-one treatment in the New York *Times* "Books," he offers peace of mind to those whose worry about the atomic bomb does not extend as far as the conscience. The professor, who has been running a television seminar on "Science and Human Responsibility," shows a curious attitude toward this responsibility in *Atomic Quest.* Compton admits that increasing the amount of radiation in the atmosphere increases the likelihood of genetic mutation. His comment on this awkward fact is that mutations may be good as well as bad and that "substantial human evidence" must be brought forward before the military need for atomic weapons can be challenged on that ground. One wonders what constitutes "substantial human evidence"—a generation of freaks?

MORE SURPRISING are his statements on the government security program. Compton boasts on page 120 that it was only because of the personal loyalty of Vannevar Bush that military intelligence reviewed its decision to deny him security clearance at a crucial point in the atom bomb's development. Upon review, the decision, based upon information from the old Dies Committee, was reversed and clearance granted.

Yet six pages later, in writing of Robert Oppenheimer, whom he familiarly calls "Oppie," he says, "If Oppenheimer has an Achilles' heel, it is his overriding loyalty to his friends." In deadpan fashion Compton, who knew Oppenheimer as a confirmed opponent of communism from 1942, gives his tacit approval to the withdrawal of security clearance from a man who has "earned the undying gratitude of his country and of free men everywhere." Such a gymnastic performance goes far to justify the confidence of an Administration that can simultaneously embrace and disavow Wolf Ladejinsky.

RICHARD ROSE is a staff member of the St. Louis Post-Dispatch *and a contributor to the* Christian Science Monitor, The New Leader *and the BBC.*

Sea Trauma

In so much blue there is a loss of blue,
A hope cast down as if abysses made
A staircase in the sand look up at you,
A ravaged saw of steps, a broken blade.
There is a sense of gullet and old bone,
A shade of yearning flesh beneath the ground;
You break desire in wafers to atone
Not having sluiced or slaked the wound you found.

Love, then, becomes a feeding of the sea—
The mammoth ghost will break the blue once more,
Look far about to dine more sumptuously,
Await the offering from the opulent shore,
And watch you feign a land of hunger, drouth,
Because he drank the sea into his mouth.

CHARLES EDWARD EATON

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in the January issue of the

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TELEVISION

Anne W. Langman

"SOMEBODY GOOFED" announces a small sign tacked next to a bunch of newspaper clippings, a Modigliani nude and program schedules on the bulletin board of the newsroom at WABD-TV, the Dumont station in New York. In this closet-size office, Mike Wallace and his staff of four produce the hottest show to hit this city's TV screens in a long time. When *Night Beat* goes on the air at eleven p.m., it is a conversation-stopper at dinner parties, gatherings of upper-middle-brows, intelligentsia and the public at large. And what happens in this hour before midnight is becoming a standard conversation-starter all over town. In three months *Night Beat* has done more to liven up televiewing in New York than any other show on the air.

Every Tuesday, Wednesday, Thursday and Friday night two people come into the dark studio and sit in the spotlight facing Mike Wallace and the cameras. A small table with Wallace's clipboard, cigarettes and water is the only set. He interviews each guest for half an hour or more, reads a few headlines from tomorrow morning's papers, occasionally has Byron Bentley, editorial director of *Theatre Arts* Magazine stop by to review the Broadway opening he has just attended, and that's *Night Beat*. What makes it remarkable is obviously not the simple format but the idea behind the show—and the interview technique.

THE fascination of people to other people is as ancient as the human race. Millions of books, newspaper and magazine articles have been written to explain man to men. But TV—a late but fast comer in the communications business—has adroitly tiptoed around people. Rarely enough, it allows leaders of opinion to discuss an idea—thoroughly and candidly—as in some of the *Interviews with Elder Wise Men,* or the *See It Now* series. For the most part, TV offers either the press conference type of inquiry at which discussion is carefully planned and rigidly limited, or the entertainment guest artist who answers a few banal questions about Cadillacs swimming pools, husbands, wives or children, then does an entertainment stint to add to the glitter of the variety hour. What TV has not attempted is a discussion about people—not an exposition of their ideas or a display of their talents—but the person himself; what kind he is.

This is the idea of *Night Beat*. Wallace has evolved a technique which combines the shock reaction of the psychoanalyst's unexpected question, with the cross examination of the witness stand. Wallace comes to his interviews well briefed. He has a couple of bright young researchers who dig up pertinent opinions, quotes, factual information about his guest. He uses this material in a line of questioning designed in the main, to put the visitor on the defensive and thus elicit information which lies below the level of press-agent handouts and other trivialities. A phone call to New Hampshire before the interview with Grace Metalious, author of *Payton Place,* shattered her hostile determination to stick to platitudes. As a result, viewers understood, much more deeply than they could from any article on this strange lady that I have seen, the motivations which resulted in her distasteful bestseller. An unflattering quote from an old enemy got humorist Senator Ford away from clowning and down to the business of what kind of person is Senator Ford. Again and again, the technique has worked. Protective generalities thrown out by guests rarely lead Wallace astray; more often they open a new line of cross-examination.

Wallace and producer Ted Yates have a free hand in conducting the show. "No holds barred, nothing that can't be discussed if it will achieve an interview in depth" says Dumont manager Ted Cott, who recognizes that he is putting on something in *Night Beat* that he could not have done in his former job at NBC. No network would take a chance on an ad lib, searching program which might prove offensive to the all-powerful (and buying) public.

THE success of the show hits a sensitive nerve in thoughtful people. Why are we all watching so avidly? Is it really because we are interested in understanding the personalities who appear each night? (There is, incidentally, no shortage of eager beavers to sit in *Night Beat's* spotlight.) I believe that more often than not, Wallace is able to do an interview which reveals the true personality of his guest. I am also quite certain that his gloves-off technique has stirred hidden emotions in viewers. Some recognize something of their own ways of dealing with people in his forthrightness, others suffer again past experiences of facing an uncomfortable and deeply personal truth, others hear an inner voice which cries "sadist." There are times when the delicate and ultimately personal question of taste is aroused: Elsa Maxwell's pudgy denial of interest in sex. On the other hand, the viewers understanding and judgment could not fail to be enhanced by seeing the mind of shirt-sleeved published Robert Harrison exposed in a most un-*Confidential* manner, or by Siobhan McKenna's incandescent scorn of the Jewish businessmen of Dublin which burned deep even though she returned the next night to insist that she had not meant her remarks to be anti-semitic.

Night Beat can go either way. It can become a new and important method of understanding between people, or it can be content with rousing the sure-fire emotion of a bull-fight. It has already proved that an hour late at night, when people are available and unhurried, is the right time for a leisurely show, and that Wallace's personality and technique succeeds in getting people to drop banalities and talk without inhibition. It is as different from old maestro Murrow's *Person to Person* as cocktail party chatter is from conversation in front of a fireplace. It has all the tools at hand to add a new scope to TV. These are powerful tools when used to arouse the cruelty which lies in every man. And just as powerful when employed to enrich understanding and exhibit mature and positive attitudes of one human being toward another.

TELEVISION NEXT WEEK

January 6 through 12

(See local papers for time and channel)

Sunday, January 6

ODYSSEY (CBS). Premiere of a public affairs series dramatizing man's varied experience through the centuries from materials available in the museums of the world. Charles Collingwood, host of *Odyssey's* late ancestor, *Adventure,* will be narrator and guide. The mining camp days of Virginia City, now a ghost town, is the first subject.

CLINTON AND THE LAW (CBS; See It Now). Sub-titled A Study in Segregation, this hour-long feature will explore the chain of events which brought violence and the state militia to this Tennessee town.

PASSPORT TO LIFE (CBS; Telephone Time). True story of a Hungarian who gave his life for individual

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victory over Russian occupation, with William Campbell and three Hungarian actors. One of the actors, Lazlo Vadnay, is also the author.

Monday, January 7

CALL TO FREEDOM (NBC; Producer's Showcase). The struggle for civilization illustrated by reopening of Vienna's opera house, with the music of Bethoven's *Fidelio*. Another of Henry Salomen's *Project 20* film-clip series.

Thursday, January 10

MR. AND MRS. McADAM (CBS; Playhouse 90). John Kerr, Piper Laurie, Cedric Hardwicke star in an original teleplay concerning a post hydrogen-war community whose survival or extinction rests with the last pair of young people. (Could this be first cousin to Pat Frank's *Mr. Adam?*)

STATE OF THE UNION MESSAGE (ABC). President Eisenhower's address to the eighty-fifth Congress.

Saturday, January 12

AT SIXTY-FIVE (CBS; Jackie Gleason Show). Eddie Cantor will share his sixty-fifth birthday with everyone who is glad he was born. All-star variety show written by Cantor himself will recall theatre of last half-century.

THEATRE AND MOVIES

Robert Hatch

THE CURRENT revival of interest in Bertold Brecht suffers a real, though probably not decisive, setback from *The Good Woman of Setzuan* now playing at the Phoenix Theatre. The production commits the worst sin of the theatre—it is boring.

I think the fault is with the production, not with the play. Granted that Brecht's "epic" theatre is more openly pedantic than the theatre of illusion which audiences here are trained to accept, granted also that the political and social teaching of this play is both dated and doctrinaire; still the text does live and move, the characters are full-standing and varied, there is passion and humor and excitement. But not on this stage.

Eric Bentley translated the play with what sounds to my ear like a warm appreciation of its flavor, but he has displayed it in the theatre as though he were dressing a museum. I have attended play readings that engendered considerably more animation.

Two things seem to me particularly wrong with the production. In the first place it has no consistent tone. Brecht set his play in a fictitious China (perhaps because in China also the stage is more a place for ritual than for illusion) and he constructed it as an almost mathematical fable on the impossibility of doing good in an evil world (a somewhat weighted equation, however, since his well-intentioned prostitute is invariably gullible when she is altruistic and invariably shrewd when she switches in self-preservation to her selfish alter ego). From this base, Bentley could have pitched his production to a choice of keys. But Uta Hagen is realistic, Gerald Hiken is lyric, Irene Dailey is Grand Guignol, Zero Mostel is burlesque, Albert Salmi is theatre workshop expressive and Nancy Marchand is musical comedy sinister. It is good talent, but it is governed by no one's idea of the effect wanted.

In the second place, the thread of dramatic tension repeatedly breaks from a want of stage deportment. I understand that Brecht wished his actors, when not immediately engaged in the proceedings, to go blank. But there is a great difference on the stage between effacing yourself and dropping out of the ensemble, between planned movement and random stir. The actors in *The Good Woman,* when they are not "working," look like a crowd of extras on their lunch hour. You cannot sustain any sort of dramatic dignity or narrative pressure if your actors lounge and have to pull themselves together when the action threatens to come their way. The effect is ludicrously like a class of wool-gathering school children and Brecht, for all his pedagogical leanings, could not have intended anything so self-defeating. So a play that could be fleet and lucid wanders and bumbles. The contrasts fail to clash, the wit misses its target, the irony is lost from lack of precision. In short, if the actors seem bored and at sea, how can the spectators be otherwise?

ONE EVENING a few months ago a well-known painter was picked up at his New York house and taken off to a police station for all-night questioning about a murder with which he had not the remotest connection. And Alfred Hitchcock has made his new picture, *The Wrong Man,* from the still better-known case of the Stork Club musician who was indicted a while back for a series of hold-ups committed by his double. The premise that a man is innocent until proved guilty is the glory of our law, but the police show an understandable reluctance to let go of a suspect until he proves himself innocent.

Hitchcock plays shrewdly on the blameless citizen's wariness of the police. By the standards of melodrama, *The Wrong Man* lacks fireworks and suspense, but it comes closer home than the usual tale of fabulous jewels, vital documents and bizarre death. I would say the audience watches very intently.

Since Hitchcock appears at the beginning of the film to explain that he is dealing for the first time with fact, I wish he had handled his material a little more factually. Henry Fonda looks and moves like a hunted man before he has anything to feel hunted about, and the persistent use of expectant lighting and portentous camera angles robs the film of the actuality Maxwell Anderson so painstakingly built into the script. Also I wish the real criminal were not caught as the direct result of the hero's prayer to a lithograph of the Saviour. Law-abiding atheists should also be delivered from false accusation, divine intervention should not be the citizen's safeguard against judicial error and the ostentatious documentation of the unfortunate musician's particular faith (a great deal of attention is given to his rosary) could be thought an unjustified advertisement for the efficacy of one brand of religion. The film seems to imply that a miracle occurred—is this part of the factual story?

These reservations aside, Hitchcock has made an engrossing film—one that offers a chilling but scrupulous insight into the police machine (the picture acknowledges official assistance) and in wrich he recaptures the zest that has been missing from his recent work.

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MUSIC

B. H. Haggin

THE AMERICAN OPERA SOCIETY, which has performed the valuable service of acquainting the public with unfamiliar works, recently ventured into standard repertory with Beethoven's *Fidelio*. And a major defect of the performance in Town Hall was evident right at the start, in the overture: the orchestra's inadequacies in size and quality. There weren't enough strings for the weight and solidity of sound required by the powerful dramatic orchestral writing, or to balance the winds and reduce the prominence of the orchestra's raucous horns; yet, in the small hall and with the orchestra placed on the stage, the inadequate sound and raucous horn-playing were, paradoxically, too loud and obtrusive in relation to the singing.

Nor was the singing itself adequate in the first act. Inge Borkh, the Leonore, produced tones in her upper range that were diffuse and clouded; Fernando Corena sang Rocco's part not only without the necessary weight of voice but without the impact of assurance (he read from the printed score); Lawrence Avery was a poor-sounding Jacquino; and the only good singing was done by Sara Fleming, the Marzelline, whose light soprano was a little thin and edged at its very top but lovely below that and was used with musical taste, and by Paul Schoeffler, who sang Pizarro with an authority and projection which gave the impression of an amplitude of sound that his voice can no longer produce. But in the second act, Florestan's aria was made exciting by the power and range of Jon Vickers' voice, its flexibility and security in the long phrases; Miss Borkh now began to produce tones that were compact and clear and very beautiful; and the two carried the dungeon scene to a brilliant conclusion with their singing of *"O namenlose Freude."* The final scene began poorly with Alexander Welitsch's tremulous singing as Don Fernando; but it ended well with the beautiful performance of the sublime ensemble *"O Gott! welch' ein Augenblick."*

Arnold U. Gamson was less successful this time in integrating singers and orchestra, and his pacing of the work was sometimes ineffective—the tempo of the Prisoners' Chorus, for example, being much slower than Beethoven's Allegro ma non troppo.

LONDON'S new recording of *Boris Godunov* (XLLA-31) is an occasion to observe again that it isn't only what was done to Musorgsky's work that is extraordinary, but the way people's minds have operated, and still operate, in relation to what was done to it. When the alterations of the texts in various editions of Shelley were discovered there was no debate on whether the poems were better with the editors' changes or without them: it was understood that the changes had no validity and the poems must be restored to their original states. But in his accompanying notes Mr. M. Montagu-Nathan has written: "There are no less than five versions of *Boris Godunov,* two of them considered to be Musorgsky's unaided work. These have emerged from archival sources, but the version most frequently in use is that of Rimsky-Korsakov, which was used for the opera's first performance in England . . . in 1913. Since then there has been endless controversy between the supporters of Rimsky-Korsakov's emendations and those who advocate the adoption of Musorgsky's score *in puris naturalibus.* Rimsky-Korsakov . . . wrote, *'Boris Godunov* was composed . . . under my very eyes. No one lived on more intimate terms with Musorgsky than I did, and none knows better than myself the intentions of the composer . . .'" Mr. Montagu-Nathan evidently fails to understand that it is only Musorgsky's own versions which have validity; he appears to be unsympathetic to those who want "Musorgsky's score *in puris naturalibus*"; and in this connection he seems to accept Rimsky's justification instead of pointing out what it omits: that Rimsky tried persistently but unsuccessfully to get Musorgsky to change what he disapproved of in *Boris* while Musorgsky was composing the opera, and made the changes himself when Musorgsky was dead and no longer able to protect his work.

One can hardly expect better understanding from a record company; but one would think that with two recordings of the Rimsky version and none of the Musorgsky original available, London would have considered it more advantageous to issue a first recording of the original rather than a third one of the Rimsky. And this especially since the London performance by the Belgrade National Opera—which has moderately good soloists (except the Pimen), chorus and orchestra, but is paced too slowly at times and is reproduced with occasional vagaries of balance and volume—doesn't offer strong competition to the HM-Victor performance with Christoff.

PERHAPS Epic will give us recordings of Musorgsky's own *Boris* and *Khovantchina;* for it has issued a recording of Paul Lamm's authentic text of what we have known as *The Fair at Sorochinsk* and what the Epic labels and brochure call *Sorochintsy Fair.* Musorgsky left this opera almost completed in piano and vocal score, with a few parts orchestrated; and several composers have at various times completed and orchestrated it. Concerning the version recorded by Epic, Lamm tells us that the unfinished bits were completed by the composer Shebalin, who scrupulously "[based] his work, wherever possible, on Musorgsky's own material and song jottings," and who similarly orchestrated the opera in accordance with Musorgsky's own practice in the few orchestrated parts he left.

The writing in this opera, as against *Boris* and *Khovantchina,* is that of a comedy, and is a distillation from Ukrainian melody, with (in Musorgsky's words) "shades of nuance and idiosyncracies characterizing the musical outlines of the Little Russian language." Most important, it is the work of Musorgsky's last years, the product of fully matured powers which operate with absolute and impressive assurance in the engaging melodic writing and the superb recitative. And the performance on Epic SC-6017 by the Slovenian National Opera of Ljubljana is excellent.

THE Violetta of the *La Traviata* on RCA Victor LM-6040 is Rosanna Carteri, the upper range of whose voice has lost the loveliness it exhibited in the Cetra *William Tell* and is now metallic and tremulous, and who isn't brilliantly successful with the florid passages of *"Sempre libera."* But her lower range is still lovely, especially when it isn't forced; and her singing in the second-act *"Dite alla giovine"* and third-act *"Addio del passato"* and *"Parigi, o cara"* is very beautiful and affecting. Armand's part seems to me to call for something more robust than Valletti's light tenor, which acquires a strong vibrato when he forces it; and he too does some of his best singing in *"Parigi, o cara."* Warren begins unpromisingly, but thereafter sings and phrases very beautifully. And all this singing is done in a lifeless context provided by Monteux with the orchestra of the Rome Opera.

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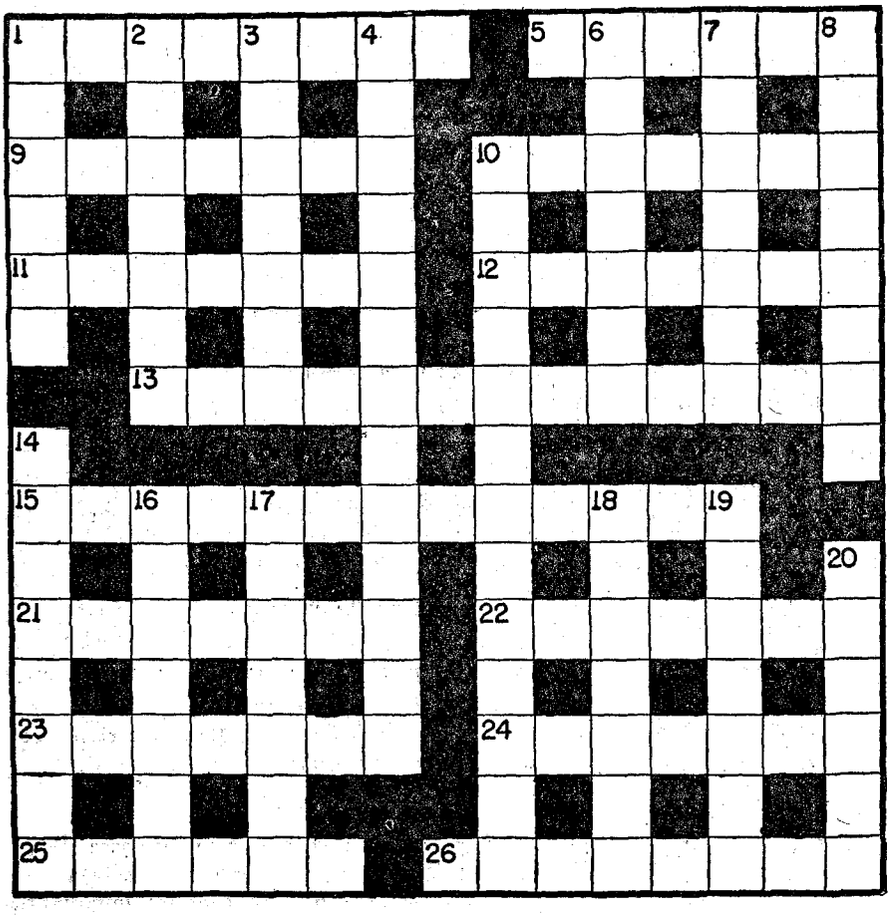
Crossword Puzzle No. 705

By FRANK W. LEWIS



ACROSS:

1 Thus something typical of straits would be like black coffee. (8)
5 A part of the last half of 1 across preceeds her (when likely to be given a bow). (6)
9 Does it have the letters around "E", but only two rhymes? (7)
10 Such a motion is not always a mere formality. (7)
11 It might be easy to see through his work. (7)
12 There's possibly a hitch in running away like this. (7)
13 This has nothing to do with the tossing of the caber! (8, 5)
15 It doesn't always imply the results are rotten. (13)
21 With the cops, I'd find 15 could put this in order. (7)
22 Is the house operated to break up the game at times? (4, 3)
23 Doesn't necessarily bounce, and the shells are thrown away with it. (7)
24 Does this sadiron imply successful pressing? (7)
25 Instructs (but perhaps more than just coaches) (6)
26 Was responsible for a decision in the fall, perhaps. (8)

DOWN:

1 Implies indifference to quiet carpets. (6)
2 Found under the bean. (7)
3 A little unsteady, but perhaps on the same program as 13. (7)
4 The place to go when a man is down. (7, 6)
6 Hurry! It seems the result of the Alaskan strike is postponed! (4, 3)
7 The sort of hound with two eyes? Amazing! (7)
8 A plum doesn't start to make contact again. (8)
10 The mere chewing it might sometimes be called mean. (9, 4)
14 Get a fractured head on a real tear? This is likely to follow! (8)
16 You'd better not catch this flaw in a broken-down car! (7)
17 Is met on getting wet. (7)
18 What they didn't quite do to Achilles? (7)
19 To do this would be telling! (7)
20 Hasn't had any employment. (6)

LAST WEEK'S PUZZLE

The wrong diagram was inadvertently used with Puzzle No. 704, which appeared last week. Our apologies!

—The Editors

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